


Braille Monitor



APRIL, 1986

VOICE OF THE NATIONAL FEDERATION OF THE BLIND



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THE BRAILLE MONITOR

PUBLICATION OF THE
NATIONAL FEDERATION OF THE BLIND

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THE BRAILLE MONITOR

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* * *

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**THE NATIONAL FEDERATION OF THE BLIND IS NOT AN ORGANIZATION
SPEAKING FOR THE BLIND—IT IS THE BLIND SPEAKING FOR THEMSELVES**

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THE ROOM FOR HOLDING BLIND PEOPLE

MORE ON AIRLINE SAFETY

As we said in the January, 1986, Monitor, NINNESCAH is a magazine which is published primarily for the airline industry. Its editor is Ellis Reida. The November-December issue of NINNESCAH carried an interview with President Jernigan and was largely taken up with the airline controversy.

The January-February, 1986, issue of NINNESCAH continues the discussion. Among other things, Mr. Reida has some comments about a new policy by one of the nation's airlines. Although he does not name the airline or the city in question, he is referring to United Airlines and to Chicago. As is so tiresomely true, United is undoubtedly doing it in the name of safety. It is enough to make one change the ancient proverb: "The road to hell and insanity is paved with nonsense about safety." Here is what Mr. Reida says:

Administrative Convenience Rules

Dr. Oral O. Miller, at the end of his comments in the interview with him in this issue, cautions air carriers against indiscriminately applying "administrative rules," as often such rules are "an inconvenience and even an embarrassment to someone else."

Air carriers must establish administrative rules to facilitate operations and control passenger flow. However, a

danger can exist when rules are established to control a class of passengers who are "different" in some way.

Perhaps the point is best illustrated by an example. One United States airline has an excellent record over the years offering services to the handicapped. Disabled passengers routinely had rated it as the best U.S. airline in such services.

However, with its development of the "hub and spoke" traffic system, the carrier found itself with a great number of flights in and out of one airport. It noticed that it took a lot of staff time just to move disabled passengers between flights.

Then someone had a bright idea. All transferring disabled passengers would be gathered in a central location, from which they could be more "conveniently" dispersed to their continuing flights.

Suddenly incoming disabled passengers have found that they cannot meet friends, shop, make a phone call, or just "kill time" in the terminal as other passengers. They are forcibly placed in a room, and airline personnel actually mount guard to insure that the passengers don't stray. It even has been seen as a further "convenience" to make everyone wear badges or buttons to help personnel sort them out.

The above system is a good one for baggage, and evidently those who have devised the administrative convenience rules tend to see passengers who are

"different" as somewhat like baggage.

There has been an uproar from disabled passengers, their families, and friends who have the holding room experience of the above airline at the described airport. It is in danger of losing the good will which has been so carefully built over the years.

Dr. Miller's caution about such rules should receive careful reflection by air carrier executives, especially when they are applied only to one class of passenger.

Ellis Reida
Managing Editor

SPECIAL SERVICES

ANOTHER NAME FOR THE ROOM FOR HOLDING BLIND PEOPLE

In the preceding article we gave a general description of the "room for holding blind people" which United Airlines has established in Chicago—and all, of course, in the tired old name of "safety." But how does it actually work? How does it affect the blind traveler going on routine daily business from one part of the country to the other? Here is a letter from Ramona Walhof which provides some of the answers. Her letter (written to attorney Peggy Pinder) also indicates that our efforts at public education are showing at least minimal signs of positive results. The battle ahead will be long, but we are accustomed to that—and the final outcome (regardless of how long) is not in doubt. That is why we have the National Federation of the Blind:

Boise, Idaho
February 14, 1986

Dear Peggy:

Things are changing gradually and painfully with United Airlines. I fly United more often than others because it has more connections in and out of Boise. Since early November I have traveled on at least thirteen flights. Most were United, but a few were Western. I had no trouble or hassle on any of those flights. Occasionally, someone has briefed me mildly. Some offers have been made that were unnecessary, but on none of these flights has any flight attendant been overinsistent or unpleasant.

Ground personnel have been something else, and especially United people in Chicago. Because of the Special Services room in Chicago, I have difficulty getting any other United staff to say even hello. For example, on February 5,

1986, I arrived in Chicago on flight 296 late. Before leaving the arriving plane, we were assured over the p.a. that all flights were equally late, so connections should not be difficult. I was met by a United agent who said, as usual, just stand right here and wait, and someone will come and get you. Since I was unsure about my connection, I asked for the gate number and time of my connecting flight. He refused to give me that information, although he gave it cheerfully to others debarking the same flight. Finally, another passenger offered to read the monitor for me and insisted on walking with me to the next flight. We almost ran. I do not know whether we took the most direct route to the next flight or not, because the United agent refused to give me the directions. When we arrived at the gate of the next flight, the agent at the terminal refused to deal with me again. I asked if the flight number 588 had already left. "Go to the Special Services," I was told. I repeated my question. "Go to the Special Services," I was told. I felt like throwing something heavy at the man. Another passenger assured me that the flight had indeed left already as I, by then, had guessed. I decided the better approach at that point was to go to Special Services. I did and found that there were no more flights that night, and I would have to spend the night in Chicago and miss the next morning's activities.

United Airlines paid the cost of the hotel room in Chicago and provided escort service to it and back the next morning. No one was willing to give me directions to get there myself, although I (with this information) would not have needed the escort and would have had

flexibility to do other things along the way.

February 7, 1986, I arrived in Chicago on flight number 295, which was also late. My connecting flight was number 859, which was even later. There seemed no help but to go back to Special Services.

The office of Special Services leaves much to be desired for the blind. Their intentions are the very best, of course. However, a person who goes there is expected to hand over her ticket to the supervisor at the desk and sit down until someone comes to escort her to the flight. First of all, I make it a practice never to give my ticket away. I had an experience when it was not returned. Therefore, wherever my ticket goes, I go also, and vice versa. Second, passengers in the Special Services room are never updated on their connections. When delays are gradually lengthened, it is desirable to know. Passengers are expected not to leave that room without an escort, even though restrooms and telephones are just across the hall. And worst of all, the escorts are taught to treat the people they escort much like baggage. Many have limited language skills, and the escort people take their instructions from the supervisor of that room, not from passengers. The phone in that room is answered "Wheelchairs," and many people there, including the blind and unaccompanied children, do not need or want wheelchairs. February 7, 1986, no one was unpleasant. I kept my ticket and sat next to the desk so that I could check on my flight every half hour or so. The attitude was one of tolerance toward me. Other passengers who were not mobile or able to go to the desk and

ask for information were quite restless and concerned.

Most of the time I have no need or desire to go to Special Services. However, most airline personnel know more about delays than passengers. When agents refuse to read the monitors for a blind person, we must rely either on other passengers (which is often quite adequate) or on Special Services. No United ground personnel in that airport have in the last few years been willing to try to give me any reasonable kind of instructions to get from one location to another. I know well the layout of concourses E and F, since they have been as they are for many years. Concourse G has been, and is, under construction, and some information about the layout would be very helpful. It is not possible to get any. Often the gate number of the arriving flight and the gate

number of the departing flight are the only two pieces of information or assistance a blind person needs, but they are essential. It is often not possible even to get the number of the gate at which one arrives, which certainly makes a difference when you start to go to another one for a connection.

This is no doubt more comment on the Chicago airport than you want. I give you this much because I think flight attendants have responded, if grudgingly, to our various efforts to educate them. We must start on ground personnel in all airports, but Chicago is the worst in the United empire. I could tell you about many other bizarre experiences with ground personnel, but I have surely said enough.

Cordially,
Ramona Walhof

AMERICAN AIRLINES SAYS JAIL POLICE SAY NO MEDIA REFLECTS PROGRESS

by Marc Maurer

How important is discrimination to people who practice it? How far will an individual or a company go to preserve a feeling of superiority over others? At what point will the police say no?

On Sunday, December 15, 1985, four Oregon Federationists (Matt Millspaugh, Diane Hayes, Ken Harrington, and Shelly Cather) boarded an American Airlines plane in Dallas to fly to Portland.

They took their assigned seats (exit row) and were ordered to move. They declined.

American officials first pleaded, then blustered. When this failed, they called the police to have the Federationists arrested. But the word is getting around. The Jacobson case (settled in favor of the blind a few months ago in Louisville) is having its

effect. The police refused to do the airline's dirty work. Although the police were apologetic they declined to take the Federationists into custody. They said no.

American was now faced with the embarrassing alternative of backing down or coming up with another solution. They found another solution, but it was costly—probably in more ways than one. Since the airline could not have the four Federationists arrested, it evacuated all passengers from the plane and started over. Another plane was found which had seats with the same numbers but not in an emergency row. The Federationists were boarded with the rest of the passengers, keeping their original seat numbers and flying on to Portland without further major incident.

It was a childish (and also an expensive) demonstration by American, and it got them nowhere. Passengers were delayed; the airline proved no point; and they looked worse than if they had graciously accepted the inevitable. But prejudice dies hard, and attitudes change slowly. The incident was reported in the Portland Oregonian Tuesday, December 17, 1985:

Protesters Delay Flight To Portland

By Elizabeth Coonrod
of The Oregonian Staff

Four members of a national advocacy group for the blind refused to give up their seats near an emergency exit on a Dallas-to-Portland flight Sunday night in protest of the airline's attempts to

move them.

Their refusal to move from the assigned seats caused American Airlines to transfer all 110 passengers to another flight and delayed passengers' arrival in Portland for more than two hours.

No one was arrested, but the protesters' action was the latest in a series of incidents during the past 13 months in which blind passengers have protested airline policies that restrict seating for the handicapped.

"We didn't ask to be assigned those seats, but there was no reason for us to move," said Dianne Hayes, a Portland resident and President of the Portland chapter of the National Federation of the Blind.

"They just came on board and told us we weren't allowed to sit there," said Hayes, who is legally blind and had a guide dog with her.

Hayes, Matt Millspaugh, Ken Harrington and Shelley Cather (who is sighted) all are members of the National Federation of the Blind and were returning to Portland after a demonstration in Little Rock, Arkansas.

Millspaugh said he knew how to use the emergency exit and would have shown the airline authorities had they asked him. Millspaugh compared the group's situation to that of any other individuals asserting their rights.

"If a woman or a black person were harassed and asked to sit in the first row or move back 10 rows, they shouldn't have to do it," he said.

Joe Stroop, manager of external communications for American Airlines in Dallas, Texas, said the three blind people boarded the plane Sunday night with seat passes they obtained prior to their arrival at the airport.

"We asked them to move, and they refused," he said, adding that American's regulations state that no person whose condition might hinder speedy evacuation is allowed to sit on the inside, in front, or behind the seats next to a wing emergency exit.

The airline asked the airport Department of Public Safety officers to remove the three, who refused, Stroop said.

"So we decided to substitute a different type of aircraft where they could sit in their same assigned seat (and not be near an emergency exit," he said.

American's policy has been approved by the Federal Aviation Administration."

This is how it was reported by the Portland Oregonian and there was more to come. In an editorial on Monday, December 23, 1985, the paper said:

Who's Blind To What

On first impression, the protests of some blind airline passengers over not being allowed to sit near emergency exit doors seem pointless. Obviously, one assumes, blind passengers are not as able as sighted ones to cope with an emergency.

Why "obviously?"

That is the question that underlies the resentment of some blind persons over their treatment by some airlines—treatment based on the often misguided assumption that the blind are unable to perform needed tasks on their own.

The National Federation of the Blind argues that airlines have not compiled convincing evidence that blind passengers are less able than typical sighted ones to open an emergency exit door and

jump out of the airplane. The less-militant American Council of the Blind believes there is a safety factor and does not object to policies preventing blind persons from sitting next to over-wing exits.

At least one airline agrees with the Federation. Frontier Airlines has adopted a policy that says that blind and deaf passengers are not to be considered handicapped and are not restricted as to where they may sit.

A Frontier Airlines spokesman told the Oregonian that evacuation tests and actual emergencies led to the conclusion that blind passengers pose no special problem compared with sighted passengers also unused to functioning in an emergency. Also, he noted, most evacuation tests are run in darkened hangers with some exits blocked. In those conditions—with smoke or darkness making it impossible to see—persons used to not seeing could cope better than sighted passengers.

Most airlines, however, continue to have rules prohibiting blind, infirm, obese and pregnant persons or young children from sitting next to the emergency exits. Recently, an American Airlines Dallas-to-Portland flight was delayed more than two hours when blind passengers refused to give up their assigned seats near an emergency exit.

The Federation claims that being asked to change seats embarrasses the blind passenger, sends a false signal of helplessness, and inconveniences other passengers—all without need. American Airlines officials, however, contend that the regulation is based on a valid concern for safety of all passengers. The Federal Aviation Administration has left the matter up to individual airlines.

It is pointless for the FAA to hang back and let the dispute fester. Either there is a valid safety concern here or there isn't. The Frontier Airlines example suggests that the answer is not as clear-cut as other airlines assume.

The obvious next step is to conduct further evacuation tests with disinterested evaluators to lay the groundwork

for an informed, factually based regulation reflecting the true—not assumed—capabilities of blind travelers.

Where blind people sit on an airplane is not the basic issue here. Rather, it is the soundness of the judgments that are made about what people can and cannot do.

ONE FOR THE DOG

MORE ABOUT THE AIRLINES

Kansas City, Missouri
January 27, 1986

Dear Dr. Jernigan:

I mistakenly believed that I had experienced or heard of all the problems that we could face concerning airlines. My recent experience with Braniff showed that there is no limit to the stupidity and arrogance of some airline personnel.

My aunt, who comes from New York, stayed with us for a few weeks when the new baby arrived. She was returning to New York on Saturday, November 30, 1985, at 1:05 p.m. on Braniff flight 522. Kansas City International Airport had just instituted a new policy which prohibited parking and waiting at the airport. Jana's parents drove me to the airport. I would simply carry my aunt's suitcase to the ticket counter for check-in and walk with her to the departure gate. Jana's parents would look for me when I left the terminal. Surely

nothing could go wrong.

My aunt and I approached the ticket counter. I was holding Dean's harness in my left hand and her bag in my right. An airline representative must have put two and two together and came up with five. A voice directly behind me boomed out "block off two seats for the dog." The buffoon with the megaphone voice brought me to full attention. I spoke to the ticket agent and said, "A) I'm not even taking this flight; and B) If I was flying, there was no need to assign an extra seat because of the dog guide.

The ticket agent told me that it was Braniff's policy to assign an extra seat to blind passengers with dog guides so that there would be more room. She also said sweetly and sarcastically that there were vacant seats if I cared to take this flight. I told her that I was not interested and that Braniff should change its policies regarding blind persons with dog guides. She told me

that this was a good policy.

Due to icy road conditions we were just in time for the flight. My aunt was becoming nervous and afraid that she would miss her flight. I decided that I would deal with Braniff at another time when my own flight was in question. I gritted my teeth and walked with my aunt to the departure gate.

This incident is trivial compared with the confrontations many of us have had with the airlines. The behavior of the airline official was stupid and even comical. I still become angry and annoyed because airline personnel did not speak to me first before making false assumptions. Joyce Scanlan summed it up when she said that we are not regarded as people.

Dr. Jernigan, the evidence in recent Monitors is overwhelming. I have had enough.

The NFB is often described as a bunch of militants and radicals. I do not consider myself either a militant or a radical. Politically, I am most of the time in agreement with the Reagan Administration and others who describe themselves as political conservatives. I attend mass on Sundays and find myself swelling with pride on patriotic occasions or when the Star Spangled Anthem is sung. It would have been wonderful if I, along with other blind people, could have served their country in a

support capacity in the Armed Forces. Liberal, militant, radical, no way!

However, it is time for us to stop behaving like ostriches and take our heads out of the sand. The Jews refused to deal with reality and appeased Hitler and paid a heavy price. Blacks did not gain self-respect until they respected their right to be treated as equals under the law. Unfortunately the airlines will not leave us alone.

True conservatives recognize that change must sometimes occur. Hopefully, change can occur peacefully through an evolutionary process. Prior to the American Revolution the colonists begged, pleaded, and reasoned with King George III of England. Unfortunately the King was sliding down the slippery road to insanity. His dull-witted advisors were not much help. Finally, reason gave way to action, and America became a reality.

Hopefully, top airline management will listen to reason and come to their senses. Flying will once again become an enjoyable and pleasant means of travel. I have reluctantly answered the wake up call, but I am no longer reluctant. It is now time to march together on the barricades.

Sincerely,
James Moynihan

LOOK, MOM! NO CANE!

When the Matilda Ziegler Magazine (which has been around since the early part of the century) carried an article by Frances Koestler about Telesensory Systems and the Sensory Aids Foundation, David Andrews was moved to express his opinion. Federationists are like that—a trait which sometimes endears us to others, and sometimes doesn't. Andrews took particular exception to Koestler's comment that Candy Linville was able to travel (after a month's practice in the same area) without using cane or dog. Of course, a man could walk downtown without his shirt or a woman without her shoes, but it is questionable whether this would be an accomplishment or a spectacle. It might be noted in passing that Frances Koestler has for many years been closely associated with the American Foundation for the Blind. Therefore, it is not surprising that her attitudes differ from those held by blind persons of an independent (or, as some would put it, "militant") frame of mind. Be this as it will, here is what David Andrews had to say:

Chicago, Illinois
January 23, 1986

Mr. Michael Millar, Editor
Matilda Ziegler Magazine
New York, New York

Dear Editor:

I read with interest Frances Koestler's article in the January-Feb-

ruary, 1986, edition of your magazine on Telesensory Systems, Inc. and the Sensory Aids Foundation. I thought the article was good except for a couple statements at the end.

Koestler said, "What she does not use is any sort of mobility aid. She learned to do without cane or dog while still in public school." This statement referred to Candy Linville, daughter of John Linville, one of the co-founders of TSI. Koestler then went on to describe how Candy and her mother spent a month teaching Candy how to travel around her college campus without a cane.

I think that Koestler's statements are very demeaning to blind persons and damaging to all of us. First she implies that those of us who use canes or dogs are somehow inferior to Linville. She then goes on to say what an exceptional person Linville is. Secondly, her statements are misleading to a person just losing his or her sight, a person who might be already reluctant to use a cane or dog.

Yes, it is possible to travel in a familiar area without a cane or dog. However, Koestler herself said that it took Linville and her mother a month to learn one area. Most of us do not have this kind of time to devote to that kind of project. More importantly, how would Linville travel in an unfamiliar area? Would she tell a prospective employer, "Yes, I can start work in a month, but first I must learn how to get to your building!"

Furthermore, Koestler and Linville seem to be saying that it is bad to be

seen with a cane or dog. I personally use a cane every day and travel all around the Chicago area in conjunction with my job. I see my cane as a symbol of independence, not dependence. I am proud to be seen as a blind person who can travel anywhere I want to go, unassisted. I do not want to be like Linville who must slide her feet around and shuffle off to work or school.

I view my cane, or dog guide, as a tool just like the Optacon, which Linville's father and James Bliss developed. Each should be used for what

it can do for an individual. Koestler was the editor of the Ziegler Magazine for many years and has probably been around blind persons all of that time. In addition, she has also written about blindness issues before. She should know better than to promote the belief that a blind person should do everything he or she can not to appear as a blind person by carrying a cane or using a dog.

Sincerely,
David B. Andrews

If you or a friend would like to remember the National Federation of the Blind in your will, you can do so by employing the following language:

"I give, devise, and bequeath unto National Federation of the Blind, 1800

Johnson Street, Baltimore, Maryland 21230, a District of Columbia nonprofit Corporation, the sum of \$_____ (or "_____ percent of my net estate" or "The following stocks and bonds: _____") to be used for its worthy purposes on behalf of blind persons."

EDUCATION REFORMS PROPOSED IN STATE LEGISLATION:**A REPORT ON A NEW INITIATIVE**

by James Gashel

Recently I attended a meeting during a seminar held at the National Center for the Blind. The subject of education came up, and someone asked: "How can we respond when people want suggestions for improving state laws relating to the education of the handicapped?" I was asked to give an answer. So, I did.

A bill now pending before the Maryland General Assembly may actually spark a new legislative effort nationwide. The bill (prepared by the National Federation of the Blind) seeks important and needed improvements in Maryland's laws for the education of all handicapped children, particularly blind children. While I have never made an exhaustive study of other state laws on this subject, I imagine that the existing Maryland laws are pretty much what one would find anywhere in the country. There is a lot of generality and much discretion left to the educators. We have found that this discretion is not being exercised in the interests of blind children. So, several changes are proposed.

First, our bill calls for standards to be established by the state requiring that all legally blind students of school age be offered competent instruction in alternative communications skills. Braille reading and writing are the specific alternative skills identified in the bill. The requirement for state standards is designed to give each

student the opportunity to learn to communicate effectively using Braille. To enact such legislation would be an historic step forward on behalf of blind children and for the cause of Braille, as well.

The second feature of the Maryland bill is designed to give parents and blind youngsters themselves a greater role in determining the specific special education services that will be provided to a child and under what conditions. The federal law (Public Law 94-142, the "Education For All Handicapped Children Act") requires significant parent involvement in the development of the Individual Education Program (IEP) for each child. Federal guidelines go even further by suggesting that the parents of a child are "equal participants" in planning for a child along with educational personnel. But in Maryland we found that parents were being disregarded in many instances or their involvement was limited to a pro forma conference, only meeting a minimum requirement for involvement. So to address that problem, the bill proposes a strengthened role for parents and their youngsters, where appropriate. Safeguards, too, are built in which give the parents the right to be represented at planning meetings by anyone who might be of assistance in advocating for the needs of a child during the development

of a special education program. Other safeguards include certain notice requirements and provisions relating to the maintenance, review, and exclusion of any information pertaining to a child's special education program. In general these features are designed to carry out the federal mandates which provide procedural safeguards to parents and children under Public Law 94-142.

This package of education legislation proposed to be enacted in Maryland has certainly captured the attention of many in the state General Assembly. The provisions relating to Braille instruction for blind children are particularly popular, since reading and writing are fundamental skills which any educational program ought to provide. It is a shocking commentary on existing programs for the education of blind children to think that in 1986 the blind are forced to go to the lawmakers to require the educators to teach Braille. But that's how it is. Reprinted as part of this article is the fact sheet we have used to describe the education legislation now pending in Maryland and the need for it to be enacted. It is certainly the beginning of a good solution to remedy gross inadequacies that have existed for years in the education of blind children. We should now begin to examine the education laws of other states and see if a similar initiative is needed. Then, where we find that it is, we should act. This is what the National Federation of the Blind is all about.

Fact Sheet

Education of

Blind and Handicapped Children in Maryland

BRAILLE INSTRUCTION FOR BLIND CHILDREN

Literacy, the ability to communicate effectively by reading and writing, is as important to blind children as it is to other children. Braille is to blind persons as print is to sighted persons. It is the only method of communication that gives the blind person the same advantages which print gives the sighted reader. For example, grammar, punctuation, and spelling are only learned well if a blind child can read Braille. It is not possible for a blind person, without the knowledge of Braille, to write or read material needed for quick reference, such as phone numbers, manuals, and addresses. Verbal modes of communication (tapes, disks, talking machines, or talking computers) can no more replace Braille than radio or television can replace print.

Sadly, the problem of increasing illiteracy among the general student population has also become a problem among blind children. The teaching of Braille has been de-emphasized throughout the nation, and Maryland is no exception. A misguided reliance upon technology and a false belief in the superiority of print have led to the situation in Maryland where legally blind children with some remaining vision have been denied the opportunity to learn Braille, even when they can only read print very slowly and with great difficulty. This has especially devastating effects for the child who will lose more vision later in life when Braille will be more difficult to learn and the instruction more difficult

to obtain. Even totally blind children have not escaped this damaging de-emphasis on Braille instruction, often graduating from school with inferior reading and writing speed and skill.

The law needs to be changed to highlight Braille and make it clear that it is the policy of the state of Maryland that blind children have the right to an opportunity to become literate. Parents and educators must know that Braille is a viable option and that blind children have a right to instruction in its use. By presenting Braille as an option to all blind children, including the legally blind child with some remaining vision, the state of Maryland will be fulfilling a basic responsibility for the literacy and education of these children. It is important that a tone be set which encourages blind children to maximize their potential and recognize Braille as the effective and desirable reading method that it is.

ADMISSION, REVIEW, AND
DISMISSAL COMMITTEE MEETINGS;
PARENT ATTENDANCE AND RIGHTS;
AND INDIVIDUALIZED
EDUCATION PROGRAMS (IEP'S)

Public Law 94-142 is landmark legislation which guarantees the right of handicapped children to a free and appropriate education. To implement federal law, the state of Maryland passed the Special Programs for Exceptional Children Act. But the provisions of this law are deficient in many areas.

The proposed legislation seeks to improve upon our state's implementation of Federal Requirements. Maryland law on the education of the handicapped is very deficient in addressing the Individual Education Program and specifically the parents' role in this process. The federal law intends for parents to be equal participants in this process of planning an educational program for their handicapped children. However, because this intent is not clear in Maryland law, procedures have developed which place parents in the lesser roles of observer or advisor. Parents frequently attend Individualized Education Program meetings unaware of who will be present and participating and ignorant of their right to bring someone with them. All of these are rights which they have under federal law but have not been made available to them in Maryland. These and other provisions in this proposal are important aspects of the parents' right to act as equal participants in their children's educational planning.

Members of the National Federation of the Blind of Maryland urge your support for this proposal. Children are the most important resource of our state. Therefore, the state must make every effort to make sure that every child in Maryland receives quality education. Parent involvement is crucial. As parents' rights to act as advocates increase, quality of education available to blind children will also increase.

TALKING WITH THE PARENT OF A BLIND CHILD

by Pauline Murphy

(This article appeared in the January, 1986, edition of Insight, the newsletter of the National Federation of the Blind of South Dakota.)

It was hard to find the mother because of the secrecy among "professionals." Yet, I knew that the family could use some help. Reports I received told me that I as a blind parent who also was a blind child, might be of assistance. So, find her I did.

It turns out that she was hungry for material. She soon had copies of Future Reflections and of the Resource Guide for Parents and Educators of Blind Children. She also had some fears, which came out in her questions as we talked. "How did you feel when you discovered you were different?" What she was really asking is how I felt when I found I was blind. I replied that I

never really knew myself to be different because my parents did not encourage me to believe that. Blind persons are not different, although we may do some things differently. My parents taught me like they taught my brothers and sisters. Other concerns were: Would her blind child have to go away for school? What if she made a mistake as a parent raising a blind child? We talked some about these, and she will get some more materials to help her, as well as support from us.

Later I could not but wonder aloud why she had not been at our fine seminar last December. Had the "professionals" not given her the information? Was the news coverage, though we had a good deal of it, insufficient? I don't know the answer, but it seems that we are now communicating. We can go from here.

NATIONAL FEDERATION OF THE BLIND

TESTIFIES ON REHABILITATION

(On January 29, 1986, the National Federation of the Blind testified about rehabilitation before the Subcommittee on Select Education of the Committee on Education and Labor of the United States

House of Representatives. On March 20, 1986, the Federation testified before the Subcommittee on the Handicapped of the Committee on Labor and Human Resources of the United States Senate.

Here is the Senate testimony.)

**Before the
Subcommittee on the Handicapped
Committee on Labor
and Human Resources
United States Senate
Testimony of the
National Federation of the Blind
Washington, D.C.
March 20, 1986**

Mr. Chairman, my name is James Gashel. My address is 1800 Johnson Street, Baltimore, Maryland 21230; telephone (301) 659-9314. I am Director of Governmental Affairs for the National Federation of the Blind. I appreciate your invitation to testify before the Subcommittee on the Handicapped during this review of vocational and other rehabilitation programs and the statutory provisions which authorize them.

During these hearings, Mr. Chairman, you will receive a substantial amount of testimony from professional rehabilitation workers and their associations. These are people who are employed to administer or deliver the services authorized by law. Their concern is the interest of the provider. This should not be confused with the consumer perspective. I feel this distinction is too often not made in the rehabilitation field. There is a seemingly irresistible tendency for the providers of rehabilitation services to speak to Congress and to others on behalf of the handicapped consumers. This conveys the impression that the interests of the providers and the interests of the consumers are one and the same—"doing the

best for the handicapped or disabled." But the fact is that the interests of the providers and the interests of the consumers of rehabilitation services are not necessarily the same. We do not all speak with one voice, nor should we be forced to.

That said, Mr. Chairman, the National Federation of the Blind is a consumer voice for the blind in all matters of rehabilitation. The people we represent are on the receiving end of these programs. Our membership is broadly based and nationwide. Our collective experience with the rehabilitation system throughout the United States allows us to observe and report patterns of conduct. Just as there is a state vocational rehabilitation agency or state agency for the blind in each state and the District of Columbia, so, too, we have an affiliate of the National Federation of the Blind in each state and in Washington, D.C. We also have local chapters which blind people join in their home communities in most sizable population areas of the United States. Forty-six years ago, the National Federation of the Blind was formed as a vehicle for self-expression by the blind. That is still our purpose and function today.

My focus in presenting this testimony will be on the vocational rehabilitation provisions found in Title I of the Rehabilitation Act of 1973, as amended. From the client services end, this is the bread and butter portion of the statute. There is always a question of whether to sugar-coat a statement or to "tell it like it is." I am assuming that you want me to do the latter so members of this Subcommittee and others in Congress can make a thorough evalua-

tion of how things are going.

A bit of personal background by way of introductory explanation might also be in order. For twenty years I have actively worked in and around the rehabilitation system. I have studied the law, the regulations, chapters of the Rehabilitation Services Manual, and many other written policies or interpretations of policy. These are collectively used as mandates or guidance for the administration of the program. I have also been a direct consumer of services, and I was "closed rehabilitated" more than once. For a few years I helped to administer state programs for the blind in Iowa. That experience helped me to gain direct knowledge of state agency operations from the provider perspective. I believe these lengthy and varied experiences with the vocational rehabilitation program have given me sufficient knowledge to analyze some common policies and characteristics of the program and to make recommendations for policy directions which should improve the availability of services to clients.

At last summer's Convention of the National Federation of the Blind (held during the week of the 4th of July in Louisville, Kentucky), a shocking fact emerged. It happened like this: Patricia Owens, Associate Commissioner for Disability at the Social Security Administration, was explaining how her agency is increasing the emphasis on successful beneficiary rehabilitation. She indicated that the Social Security Administration was less than enthused about the performance of the state vocational rehabilitation agencies, particularly with respect to job placement. She said Social Security officials are

actively seeking alternative rehabilitation programs which might be more successful. Several speakers from the floor voiced specific complaints about rehabilitation programs and their policies. The pattern which emerged in the discussion showed that this audience of nearly two thousand (either consumers or potential consumers of rehabilitation services) unanimously felt ill-served by current programs. In fact, not one person spoke up to defend rehabilitation in its present form. So the policy position which emerged later in a resolution from the Convention unanimously called for reform in rehabilitation.

That position (and especially the intensity of support for change) represents the culmination of a shift in our thinking about rehabilitation—something which has been evolving among the blind consumer population over the past several years. In fact (although I hope these are not the alternatives we must face), I hear more and more blind people saying that if our choices are to have rehabilitation (unreformed, fully funded, and as it is) or to have no rehabilitation program at all, the choice is simple. It would be better to have none at all. Improvements in the law are needed. It is not just a matter of money.

Remember that, for purposes of priority for service, blind people are among the most severely disabled. Even so, rehabilitation agencies tended to be much more responsive to our needs twenty years ago than they are today. Why? I believe there are at least three areas where the basic statute is being misinterpreted, misapplied, or is in need of correction today. Also, I believe there is a failure properly to coor-

minate the vocational rehabilitation and Social Security programs, resulting in frustrating policy conflicts. Here are the particulars:

ELIGIBILITY AND INELIGIBILITY

When a potential client approaches a rehabilitation agency for help, the first decision called for by law is the determination of eligibility or ineligibility. Put it this way: Is the welcome mat out, or does the sign read "No Vacancy." A lot depends on the agency.

A "handicapped individual" under Section 7(7)(A) of the Act must have a disability which, for that individual, is a substantial handicap to employment. Further, there must be a determination that the provision of vocational rehabilitation services is reasonably expected to help the individual become employed. On both points rehabilitation counselors have wide discretion. That may be quite appropriate with respect to the second point, but there is a serious policy defect with respect to the extent of the counselor's discretion on the first point.

Does the applicant have a substantial handicap to employment? The counselor decides. It is the extent of the counselor's discretion (and whether or not there should be any discretion at all) that is at issue here.

Blindness, for example, is a severe handicap. That's what the law already says. But, take a blind person who is unemployed. Is such a person eligible for vocational rehabilitation services, assuming that the counselor finds that the services would help the individual become employed? Not necessarily. The counselor may decide that the individual

has worked before, and therefore does not have a substantial handicap to employment. Incredible, but true. Here we have a severely handicapped individual as defined in the Act, who does not have a substantial handicap to employment. That's what the counselor has the power to decide. I have seen such decisions, and they are backed up by policies of the Rehabilitation Services Administration in the regional offices and at the national office, as well.

Should everyone who has a severe handicap as defined in the Act be eligible for Vocational Rehabilitation Services? Certainly not. Some persons may not be capable of achieving employment. If there is evidence that rehabilitation services cannot reasonably be expected to benefit the individual in terms of employment, eligibility should be denied. That should not be changed. But anyone who is capable of working although severely handicapped should be eligible, no counselor discretion involved.

There is also another policy issue which flows from giving counselors such wide discretion in deciding who is handicapped. If an individual receives Social Security Disability Insurance Benefits, there has already been a finding that the handicapped person is unable to perform "substantial gainful activity." Remember that it is the same vocational rehabilitation agency which issues a finding of disability in connection with the Social Security programs. Yet the counselor for that agency is free to decide whether or not the handicap (which is substantial enough to qualify for Social Security) is a substantial handicap to employment.

A policy which permits conflicting determinations such as these makes no sense.

Speaking of Social Security and vocational rehabilitation, there is also something else that makes no sense. You might call it the "merry-go-round" or the "revolving door" of rehabilitation. If a person applies for and receives Social Security Disability Insurance benefits, there is an automatic referral to the state vocational rehabilitation agency. Then the individual is required by law to accept rehabilitation services in order to become employed, if at all possible. That's what the law says. Referral by Social Security is done to encourage people to leave the Social Security rolls, after a period of training or retraining to achieve employment. That makes sense. But it does not make sense that the rehabilitation counselor has the discretion to turn the same individual (referred by Social Security) away by saying: "There is no substantial handicap to employment." What we have from this policy is a path that leads in a circle. Social Security refers you to rehab, and rehab turns you away. Yet Social Security requires you to accept rehabilitation services and to try to become employed. How can you if rehab turns you away?

One final point on eligibility. This has to do with the second element in the definition of "handicapped individual"—can the individual reasonably be expected to benefit in terms of employability from receiving vocational rehabilitation services? As I have said already, we have no quarrel with a determination of that type being made as one of the two elements in the decision

on eligibility. However, there is an apparent incongruity in the Act which Congress, alone, can remedy.

The incongruity arises from conflicting statutory language. Section 7(7)(A) defines "handicapped individual" for purposes of eligibility for vocational rehabilitation under titles I and III of the Act. The two elements of this definition are set forth in sub-clauses (i) and (ii) of this section. But paragraph (2) of section 102(c) of the Act also contains language pertaining to the employability question.

The problem is that the language of section 102(c)(2) is more restrictive than and inconsistent with the section 7(7) definition of "handicapped individual." I mention this because we have seen eligibility denials based on the language in section 102(c)(2), even though there is a reasonable expectation that rehabilitation services can benefit the individual in terms of employment. With the conflicting language of these sections, the question is, which one prevails? It would be better if the language of these two sections contained an identical standard for determining the likelihood of an employment benefit.

Recommendations:

(1) The Act should be amended to provide that anyone whose handicap is severe, as defined in the Act, shall be determined to have a substantial handicap to employment.

(2) The Act should be amended to provide that anyone who is determined eligible for benefits under Title II or Title XVI of the Social Security Act shall be determined to have a substantial handicap to employment.

(3) The Act should be amended to clarify that eligibility will be found for anyone who has a substantial handicap to employment and for whom there is a reasonable expectation that vocational rehabilitation services will be beneficial in terms of employability.

FINANCING CLIENT SERVICES: THE MEANS TEST

Economic need standards, or "means tests," are optional in the vocational rehabilitation program as determined by policies of each state agency. Until about 1965 there was actually a Federal requirement mandating a means test by every state agency in the program. Most states still have them; some do not. The Act gives no direct authority for a means test to be administered by any state agency, but administrative regulations permit it. We would certainly favor a statutory prohibition of the means test. If Congress does not do that, there should at least be guidance in the statute so program administrators are restrained from certain abuses which have come to light.

The idea of the means test is to determine whether the client of vocational rehabilitation services can afford to pay for any of the services which may be offered by the program. This is a determination which is made after the decision on eligibility or ineligibility. So, believe it or not, you may be eligible for vocational rehabilitation services which you are then required to pay for. What a bonus. How much you are required to pay depends on the state you live in and the policy preferences of the people in charge of the agency. This leads to inequities among the

states and a lack of uniformity in the program. But worse than that, the Federal hands off approach permits abuses that ought to be corrected by statute.

One means test policy which appears to be an abuse is to require (as many states do) clients to pay for services that are provided directly by the state rehabilitation agency or obtained by contract with a private rehabilitation agency. Services from these agencies (which receive tax dollars specifically for the purpose of providing rehabilitation services) should be paid for by those tax dollars, not by the clients who need the services. The individual applying for services from rehabilitation agencies should not be taxed a second time to obtain the services that they provide directly or by contract with private agencies.

For example, if an agency for the blind provides in-house training for blind persons who want to become self-employed as licensed blind vendors under that agency's vending facilities program, training to enter that program should be a service provided without charge by that agency. Likewise, if the agency sends a client to a pre-vocational adjustment center where the techniques and attitudes concerning blindness are taught, that is a reasonable service to expect without charge from the agency. Requiring clients to pay for basic training and adjustment services which are directly available from state agencies or provided by contract with private rehabilitation agencies makes one wonder where our tax dollars appropriated for vocational rehabilitation are actually going.

Another policy issue with respect to

the means test is the disincentive factor for individuals referred to vocational rehabilitation by Social Security. Believe it or not, I have actually seen means tests which require Social Security Disability Insurance (SSDI) beneficiaries and Supplemental Security Income (SSI) recipients to pay for their own vocational rehabilitation services. Talk about an abuse. Benefit levels for SSDI and SSI beneficiaries are not that generous. In fact, most of them live at or near the poverty level. They can ill-afford to pay for anything but keeping a roof over their heads and food on their tables. Now the rehabilitation agency comes along and says, "Here's a bill for the services we provided; pay up."

Restrictive requirements of this sort frustrate the goals of rehabilitation and, more particularly, the goals of the Beneficiary Rehabilitation Program, funded by the Social Security Administration. Remember once again that SSDI and SSI beneficiaries are required to accept vocational rehabilitation services. But where does it say in the Social Security Act that they are also required to pay for them? It does not. That is a discretionary requirement of state vocational rehabilitation agencies that have means tests. So, depending on the state of residence of an SSDI or SSI recipient, the individual either will or will not be forced to pay for vocational rehabilitation, at least to some degree.

This degree of discretion permits abuses since SSDI and SSI beneficiaries are placed in an untenable position. If they do not cooperate with the rehabilitation agency and pay for their rehabilitation services, they may be reported to the Social Security Admin-

istration as declining rehabilitation. Then they may lose their benefits altogether. Depending on the harshness of the means test, this amount of policy discretion means that the client may be required to take essential living expense money to pay for rehabilitation, or lose Social Security benefits altogether.

Recommendations:

(4) The Act should be amended to prohibit any designated state unit from applying a standard of economic need in relationship to any vocational rehabilitation service for which the designated state unit has previously not applied a financial needs standard prior to the enactment of the Rehabilitation Act Amendments of 1986.

(5) The Act should be amended to provide that in the administration of the state plan for vocational rehabilitation services, the designated state unit may not apply any standard of economic need for any services provided directly by the agency or paid for by contract with another agency primarily engaged in the rehabilitation of handicapped individuals.

(6) The Act should be amended to provide that in electing to establish any standard of economic need which requires handicapped individuals to share in meeting the costs of vocational rehabilitation services, the designated state unit shall exclude from consideration any income received by a handicapped individual pursuant to Titles II or XVI of the Social Security Act and shall further exclude such other income as may be reasonably necessary for the handicapped individual to meet all ordinary

household expenses and existing financial obligations.

SIMILAR BENEFITS

The concept of similar benefits is intended to be used by vocational rehabilitation agencies in order to assure that handicapped individuals also obtain the benefits of other programs to which they may be entitled. An example which seems obvious and reasonable is to utilize student financial assistance grants to the fullest (excluding loans) before applying vocational rehabilitation funds to pay for college tuition and other higher education expenses. But while that is reasonable, there are other practices that occur with respect to similar benefits that are not reasonable.

For example, students who receive scholarships from private organizations should not receive a corresponding refusal for services from vocational rehabilitation due to the receipt of the scholarship. Yet, this is the most common result of the similar benefits provision. For example, the National Federation of the Blind awards scholarships annually amounting to almost \$100,000.00. Our largest scholarship is \$10,000.00. But the recipient may actually lose in the end or be no better off if the vocational rehabilitation agency determines that the similar benefit must then be used to exclude most or all vocational rehabilitation services that would otherwise be provided. For a private, non-profit organization such as ours, it is rather discouraging to learn that individuals we intended to help are actually thrown into a turmoil with their vocational rehabilitation agen-

cies. The recipients of our scholarships should not have to fight to receive some actual benefit from the scholarships we give them. A more acceptable policy would be to consider scholarships from private groups to be an additional benefit, not a similar benefit.

The more extreme abuse of the similar benefits requirements occurs when state vocational rehabilitation agencies insist that all private sources for any vocational rehabilitation service must be tapped before funds will be authorized from the agency. For example, if equipment or aids of some type are to be purchased, there is a standard vocational rehabilitation policy which requires clients to sign releases which enable counselors to contact charitable associations in the community. This amounts to a solicitation of funds on behalf of rehabilitation clients in order to provide the services which tax dollars have been appropriated to pay for.

As a matter of policy, I have asked RSA regional office and central office staff whether state vocational rehabilitation agencies are encouraged to implement the similar benefits provisions by using fund raising campaigns among community and civic groups. What do you suppose? Everyone said that the fund raising among charitable groups by rehab was an entirely appropriate enterprise, in fact required by the similar benefits concept. How interesting. I thought similar benefits meant that a client of vocational rehabilitation was required to explore and exhaust, if possible, all other benefits available from public programs for which the individual might also be eligible. That is quite a dif-

ferent requirement from fund raising as a matter of charity to obtain funds to buy services for clients of vocational rehabilitation. Yet this is how the similar benefits requirements are being interpreted. Carried to its most logical extreme, there is almost nothing that vocational rehabilitation would ever have to pay for if the agency could find someone else to do it. And, that's exactly what rehabilitation is coming down to.

Recommendations:

(7) The Act should be amended to provide that scholarship awards, resulting from competition and based on merit, shall not be considered similar benefits where such scholarships are awarded by private, not-for-profit organizations.

(8) The Act should be amended to require the designated state unit to provide any vocational rehabilitation service if the application of the similar benefits policy would cause a delay for the client in fulfilling either the long range goals or intermediate objectives of the individualized written rehabilitation program.

(9) The Act should be amended to provide that a similar benefit is any service of the type described in section 103 of the Act, where such benefit is provided pursuant to law by a public agency or program and the handicapped individual meets the eligibility criteria for the specific service in question. The key word here is public. In other words, assistance provided by private agencies, organizations, or individuals should not be similar benefits.

Taken as a whole, the nine recommenda-

tions in this testimony are designed to make the vocational rehabilitation program more responsive to consumer demands for service. They address problems in eligibility, the means test, and similar benefits. These areas are the cause of most blind consumer dissatisfaction. First, there is a question of eligibility. Then if eligible, there is a question of whether or not the individual will need to pay for the service in whole or in part. Finally, to round out the picture, if it is ultimately determined that the individual is, in fact, eligible and that the individual is too poor to pay for the service, there is a third escape clause for rehabilitation by applying the similar benefits criteria. All of these provisions may be applied almost with a vengeance as I have described. As a result, there is strong evidence that rehabilitation agencies today are attempting to exclude, not include, potential clients. I think that is why so many individuals feel, and rightly so, that they just cannot get any service at all from rehab. If people are aware, as they inevitably are, that the vocational rehabilitation system nationwide has over \$1,140,000,000.00 Federal money alone to spend on vocational rehabilitation services this year, they wonder where the service actually is. In the days gone by, when funds were far less and annual increases more limited, we could expect to get some service from rehabilitation agencies, despite numerous bumbles and stumbles along the way. Mostly, though, the agencies seemed to want to give service, and the money flowed to client needs. Now it does not. Counselors are more like gate-keepers with the primary

purpose of protecting the agency instead of serving the client. So for the consumer, you can't get into the system, or if you do get in, you can't get anything out of it, or so it seems.

This sense of growing frustration with the current system of vocational rehabilitation has led many of us in the National Federation of the Blind to give thought to alternative systems of service rather than using the traditional vocational rehabilitation state agencies. One plan would be to install a free market system where clients could pick and choose among rehabilitation agencies that would, in a sense, be competing for their patronage. This would be a step beyond and outside of the institutionalized state vocational rehabilitation agency system. It would provide a rehabilitation benefit in the sense of portable funding available to a handicapped individual for use at any agency capable of providing the services. One way to implement a free market rehabilitation system might be to amend certain provisions of the Social Security Act in order to make the rehabilitation funding which now exists an actual component of the Social Security benefit for the handicapped individual who is eligible for Social Security Disability Insurance or Supplemental Security Income. To a certain degree, this would follow a concept similar to providing Medicare and Medicaid benefits as an attached service to eligibility for the cash benefit programs of Social Security.

There is a song we have in the National Federation of the Blind which shows the sense of frustration we share in dealing with the rehabilitation system and its characteristic policy limits

that I have described. The problems and goals of other minorities have often been expressed in the songs they sing, and so it is with the blind:

Today I am happy; today I am glad.
I finished my five year course in rehab.
I learned chair caning; I learned
basketry.

And now there's not a damn soul
who wants to hire me.

Today I am happy; today I am glad.
I finished my five year course in rehab.
I learned chair caning; I learned
basketry;

And now there's not a damn soul
who wants to hire me.

Rehab, I'm glad rehab.

We call that the "Rehab Song." We sing it often and with great gusto, but it is not a song of joy. It expresses great frustration with what too many blind people regard as an absolute waste of time. Worse yet, there is the hassle that many describe in just trying to get something out of what seems like a massive state rehabilitation bureaucracy. This is what has led us to begin thinking about an alternative free market system where the client would take the money and buy the service from the agency that was most responsive, based on individual preference and need.

Mr. Chairman, again I appreciate the opportunity to present this testimony, and to have our views considered as you prepare the Subcommittee's proposals to amend and extend the Rehabilitation Act of 1973, as amended. I hope and believe that your deliberations will lead to constructive changes in the direction of better service for blind consumers. Toward that end, we have sought to pre-

sent an honest appraisal of where we think rehabilitation is currently headed and how it can be improved. If the appraisal seems harsh, so be it. It would be worse for us to remain silent

when we have facts and experience that might actually help you improve upon existing programs. In any event, that is our goal. I thank you.

THE BLIND ASK: "WHERE'S THE BEEF?" GSA RESPONDS

GSA is the General Services Administration, sometimes called the federal government's "landlord." Most federal buildings, other than Post Offices or military installations, are managed by GSA. There has been a bias at GSA against having blind vendors operate large cafeterias. No problem about selling pre-wrapped sandwiches, packaged cookies, chips, or other snacks, so long as they are bagged or boxed before they reach the vending facility. But to have the blind actually run cafeterias, no way!

The National Federation of the Blind has led the battle to change these attitudes. We are tired of the lobby stand image for the blind vendors. That is a throw-back to the 1940's and 1950's. The vendor of the 1980's ought to have a real, going business, selling whatever federal employees and members of the public like to eat. Normally, that is not a sandwich which comes in a wrapper or a salad requiring an engineering degree just to figure out how to extract it from the cellophane. We're talking about real burgers, hot meals, chicken and fries, such as you would get in a real cafeteria. Yes, we're talking

about real blind people serving food in real cafeterias.

Top officials from GSA attended the 1985 convention of the National Federation of the Blind. With about 2,000 of us in the room, they became very agreeable. We were agreeable, too, but we wanted an end to GSA's bias against the blind in the operation of federal cafeterias. After the session where these and other vending matters were discussed, we agreed to make a formal request for a policy change. GSA would consider our request and respond. The following correspondence reports in detail the results. In other words: here's the beef. What other organization can report that such results are directly traceable to its effort?

Baltimore, Maryland
July 12, 1985

Mr. Wolfgang J. Zoellner
Assistant Commissioner for
Buildings Management
General Services Administration
Washington, D.C.

Dear Mr. Zoellner:

This is in reference to our recent conversation regarding the GSA policy on extensions to cafeteria contracts. On behalf of the National Federation of the Blind, I am asking for a review of the current contract extension policy in order to achieve full conformity with the letter and spirit of the Randolph-Sheppard Act (hereinafter referred to as the "Act").

As you know, we object to the policy of extending cafeteria contracts for as long as fifteen years, during which time the priority for blind vendors required by the Act is not applied. 34 CFR Section 395.33 (c) says: "All contracts or other existing arrangements pertaining to the operation of cafeterias on federal property not covered by contract with, or by permits issued to, state licensing agencies shall be renegotiated subsequent to the effective date of this part on or before the expiration of such contracts or other arrangements pursuant to the provisions of this section." The provisions referred to require that the priority be applied in accordance with the Act.

It was not contemplated that the contracts for federal cafeterias would be allowed to run three times longer than their initial terms. When the Act was amended in 1974 Congress found that there were certain administrative barriers to expansion of the blind vendor program. The amendments were aimed at removing impediments to program growth with the expressed goal of Congress that the number of vending facilities operated by blind persons on federal property should double within five years. Considered in light of this legislative

history, the extension policy is clearly inconsistent with Congressional expectations.

But in other ways, too, GSA's extension policy frustrates growth of business opportunities for blind vendors in the face of contrary Congressional intent. In 1974 the definition of "vending stand" was specifically scrapped in favor of the new term "vending facility." This was more than fancy talk or semantics. Congress intended to offer blind vendors a greater selection of business opportunities, including the operation of large federal cafeterias. The new definition emphasizes food preparation in addition to the more traditional vending stand, where only pre-wrapped items were sold. Moreover, the 1974 amendments to the Act call for upward mobility of blind vendors with opportunities for business that are far more complex than the traditional vending stand. Yet, if GSA withholds cafeterias from the priority for the blind as long as fifteen years, the promise of upward mobility for the blind is seriously impaired.

I do not propose in this letter to undertake a full-scale legal argument on how the extension policy conflicts with the Act. Although I am firmly convinced that extensions are arguably illegal, I think we both recognize that this is a matter of policy, not law. So what should the policy be?

I hope you will feel as we do that as a matter of policy GSA should aggressively apply the priority for blind vendors to operate cafeterias whenever any term of a contract expires. Only where the priority is specifically waived by written consent of the state licensing agency should the contract be

extended beyond the initial five-year term. But the extension may not necessarily be for an additional five years. The state licensing agency's written consent, if it is obtained, should identify a specific period during which the priority is being waived. Upon the expiration of that period, GSA should again attempt to award the cafeteria in question by applying the priority for blind vendors. I do not think such a policy necessarily equates with a complete abolition of extensions. Nor do I think as a matter of policy that the priority for the blind should be routinely disregarded in favor of extensions.

For the reasons set forth herein, and since GSA is clearly obliged to promote opportunities for blind vendors in cafeterias and other types of vending facilities, a review of the current policy on extensions of cafeteria contracts, in light of developments subsequent to the 1974 amendments to the Act, is clearly in order. In this regard, I will be glad to assist in arranging visits or any further meetings that may be necessary to reach a mutually agreeable understanding. Please call me or write at any time. Of course, we will expect a written response to indicate what steps are being taken to effect a review or modification of the extension policy.

Cordially yours,
James Gashel

Director of Governmental Affairs
National Federation of the Blind

P.S. Members of the Congressional delegation from Alaska have asked to be kept informed of developments to improve compliance with the Act. Therefore, by

the copies of this letter indicated below, I am advising the Alaska Congressional delegation that the National Federation of the Blind has asked GSA to change the extension policy as more fully discussed herein.

cc: Mr. Allen Sanderson
The Honorable Ted Stevens
The Honorable Frank Murkowski
The Honorable Don Young

Washington, D.C.
August 9, 1985

Dear Mr. Gashel:

Thank you for your letter of July 12, 1985, concerning this agency's policy relating to the exercising of extension options to cafeteria contracts. We are appreciative of the National Federation of the Blind's (NFB) forthright views on this subject.

As indicated in our discussion on July 2 at the NFB convention, we will reassess our policy on cafeteria contract extension options toward providing additional opportunities in support of the Raldolph-Sheppard Program.

Our methodology in the reassessment of the lengths of cafeteria extension options will include determining how other federal agencies, private corporations and institutions presently structure procurements.... This evaluation should be completed within three months.

We welcome the views of the NFB in conjunction with this effort. We will be pleased to receive further written communication from the NFB and meet with you to discuss any aspects of this

matter.

You may be assured of our most careful attention to this effort.

Sincerely,
Wolfgang J. Zoellner
Assistant Commissioner
for Buildings Management
General Services Administration

Washington, D.C.
December 23, 1985

Dear Mr. Gashel:

This further refers to my letter of August 9, 1985, concerning this agency's policy relating to the exercising of extension options to cafeteria contracts. In accordance with our discussion of July 2 at the National Federation of the Blind (NFB) convention, we conducted a detailed reassessment of our policy on cafeteria contract extension options with views toward strengthened support of the Randolph-Sheppard Program.

Upon receipt and careful study of management information and recommendation on the issue, we conclude that state licensing agencies should not be precluded from the opportunity to assume the operation of a specific cafeteria for a period of up to fifteen years. In advance of the expiration of every five year extension of the contract, the priority for the blind is to be invoked. In a timely manner, the state licensing agencies will be invited to submit a proposal for the operation of the facility. If satisfactory, the state licensing agency will be awarded the contract

for the operation of the cafeteria. This will apply to both future contracts and those previously awarded. Considering the need to modify and issue implementing policy and the length of the procurement cycle, early 1987 is the most imminent time at which existing cafeteria contracts will be subject to negotiation with state licensing agencies.

Of great significance also is the fact that our revised policy will assure that state licensing agencies are offered the opportunity to furnish proposals for all GSA contracts before the facility may be competitively offered.

The instructions implementing this revised requirement are being issued to our regional offices. We believe this significant revision to our policy will accelerate the assignment of cafeterias to the blind. Your concerns and the views expressed by the NFB are greatly appreciated.

Sincerely,
Wolfgang J. Zoellner
Assistant Commissioner
for Buildings Management
General Services Administration

Baltimore, Maryland
January 7, 1986

Dear Mr. Zoellner:

This is in response to your letter of December 23, 1985, in which you announce changes to GSA's policies for the award of cafeterias under the Randolph-Sheppard Act's blind priority.

As I am sure you can imagine, the news

conveyed in your letter is a breath of fresh air. It now appears that the state licensing agencies will not be prevented from obtaining cafeteria contracts which may have formerly been withheld as a result of competitive bidding procedures and the automatic extension policy previously in effect. To the extent that the new policy is observed in its spirit as well as in its letter, there should be observable, positive results for the future growth of the blind vendor program and the services which blind vendors provide to federal employees on property controlled by GSA.

Your letter indicates that the new policies and instructions for the regions will be issued shortly. Please consider this a request for copies. We will be interested in reviewing these materials as soon as possible. Meanwhile, thanks again for what appears to be very good news.

Cordially yours,
James Gashel

Director of Governmental Affairs
National Federation of the Blind

These letters actually tell the story of how it happened. It is not a matter of conjecture or puffery. The National Federation of the Blind has again done the job for vendors. In mid-January we received the new contract package and instructions for GSA cafeterias. These documents make clear that negotiations

rather than bids will be used by GSA in the future to award cafeterias for operation by blind vendors. So state licensing agencies will have the opportunity to obtain cafeteria contracts without competition from commercial firms. Moreover, the new policy says that commercial cafeteria contracts will not be extended automatically. State licensing agencies will be offered an opportunity to take over any cafeteria each time a contract or any of its five-year terms expire. Furthermore, the state agencies will get one year's notice in order to have time to negotiate a contract to replace a commercial vendor with a blind vendor.

This is not to say that the new contracting policies for GSA cafeterias are flawless. A few more points will need to be negotiated. However, we cannot minimize the improvements. They are real, and they should result in more cafeterias being operated by the blind on federal property. State licensing agencies may, of course, fail to follow through on accepting these new opportunities. But if they do, we must follow up and take action.

So to the question, "Where's the beef," the answer is: in the new cafeterias which should be available to the blind during the coming years. This is a much more productive way to solve the problem than some of the efforts we have recently seen. Confrontation is, of course, always a possibility, but it should be used sparingly and only as a last resort.

THE FAIR INSURANCE COVERAGE ACT: ACTION IN THE 99TH CONGRESS

As Monitor readers know, the National Association of Insurance Commissioners (NAIC) has issued a revised model regulation to prohibit discrimination on grounds of blindness or partial blindness. The revision resulted from legislation which was considered in the Second Session of the 98th Congress.

NAIC is opposed to federal legislation on insurance discrimination against anyone but acknowledges that some companies still discriminate against the blind. So NAIC has an expressed interest in showing Congress that the state insurance commissioners are committed to act on behalf of the blind.

The model revised regulation on discrimination against the blind is much better than the old one. In 1978, at the urging of the National Federation of the Blind, NAIC adopted what is now the outdated model regulation. It was a compromise with the insurance industry, which would have preferred no regulation at all. Still it was a foot in the door. The weakness of the old model was an escape clause allowing companies to discriminate against the blind if the decision to do so was based on "sound actuarial principles or actual or reasonably anticipated experience." We knew that was a potential loophole you could drive a truck through, and some of the companies did.

The revision to the model regulation closed the loophole. Regardless of "actuarial principles," "actual experience," or "reasonable anticipation," even regardless of iron clad evidence, NAIC's current model regulation on

blindness or partial blindness prohibits any form of discrimination. A condition which causes blindness may be taken into account if the condition, but not the blindness, constitutes a greater risk.

With a model regulation like this, you would think that the problem of insurance discrimination should be over. Ah, yes, but any model regulation of the NAIC has no enforcement value of its own. Only the governmental agencies of each state, having the power to regulate insurance, can establish binding rules that are legally enforceable. So can the legislatures of each state. This is why we have circulated the revised NAIC model regulation on blindness or partial blindness and called for its adoption in every state. And for the same reason we have also gone back to Congress with a renewed effort aimed at passing a national law.

The bill now under consideration in both Houses of Congress is called the "Fair Insurance Coverage Act." It was introduced in the House of Representatives as H.R. 2741 with Congressman Jim Bates of California as the principal sponsor. At this writing there are 165 co-sponsors in the House. In the United States Senate the Fair Insurance Coverage Act has been introduced by Senator Charles Mathias of Maryland as S. 1290. There are three co-sponsors at this writing.

Here are the remarks which Senator Mathias delivered on the floor of the United States Senate as he introduced S. 1290. His statement gives evidence of the progress we are making in our battle

toward full equality. It also shows that the National Federation of the Blind is the leading force in this battle. Truly the public perception, as well as the official perception, of blindness and the problems of the blind is changing. We are responsible for that. Here is the evidence. In the Senate of the United States:

Mr. Mathias: Mr. President, I am pleased to introduce today, along with Mr. Levin, Mr. Moynihan, and Mr. Biden, the Fair Insurance Coverage Act to prohibit discrimination on the basis of blindness or any degree of blindness. It is distressing that this legislation is necessary. However, the sad truth is that for many years blind people have encountered numerous difficulties in their efforts to secure various types of insurance coverage on an equal basis with those who can see.

The need for legislation to end this discrimination has been well documented by the National Association of Insurance Commissioners (NAIC). The NAIC found no factual basis for the belief that blindness represents an increased risk to insurers. Both the NAIC and the National Federation of the Blind affirm that no solid actuarial evidence exists for discrimination against the blind in insurance coverage. Accordingly, treating blind persons differently from those who can see was determined to be discriminatory and thus an unfair trade practice.

In 1978, the NAIC, after finding that the blind were victims of widespread discrimination by some insurance companies, adopted a model insurance regula-

tion condemning such practices when based solely on the grounds of blindness. It was assumed that the model regulation would be placed on the statute books or promulgated as an administrative rule in most or all states. Unfortunately, this assumption proved to be false. To date, fewer than half the States have followed the NAIC's lead in taking positive steps to end discriminatory practices against the blind. I am persuaded of the need for federal policy in this area as a last resort after the appropriate state remedies have been exhausted and in the absence of corrective state action.

This measure I introduce today is similar to one I submitted in the second session of the 98th Congress with broad support. Again this year I am proud to present this bill as a companion to the House measure, introduced by Representative Jim Bates, and I urge its careful review and consideration by my colleagues.

On September 11, 1985, the House of Representatives Subcommittee on Commerce, Transportation, and Tourism held a hearing on H.R. 2741. Jim Gashel was the lead-off witness followed by a panel of NFB leaders selected from several states. These representatives were Peggy Pinder of Iowa, Judy Sanders of Minnesota, Scott Lewis of Washington State, Vickie Ashley of Nebraska, and Cathy McManus of Pennsylvania. Their testimony was followed by presentations from a representative of the NAIC and a representative of the insurance industry.

The record of the proceedings shows

clearly the need for federal legislation. Even where states have existing regulations or laws aimed at prohibiting discrimination against the blind, enforcement may often be weak or nonexistent. We proved that point in the hearing. The Fair Insurance Coverage Act would provide a backup remedy for blind individuals unable to obtain assistance through the state insurance departments.

Mr. Gashel's testimony, which is reprinted in summary form here, lays out the argument:

REMARKS OF JAMES GASHEL
BEFORE THE SUBCOMMITTEE ON
COMMERCE, TRANSPORTATION,
AND TOURISM
IN HEARINGS ON
THE FAIR INSURANCE COVERAGE ACT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.
SEPTEMBER 11, 1985

Mr. Chairman, my name is James Gashel. I am representing the National Federation of the Blind, where I serve as Director of Governmental Affairs. My entire written statement is submitted, and I ask that it appear in full in the record.

In my written statement, I discuss the real problem of blindness in the social and attitudinal aspects. The myths and misconceptions about blindness are more of a limitation than the loss of eyesight itself. This is certainly true in insurance dealings, where subjective judgements have economic consequences.

The last forty years have seen the emergence of blind people from armchairs

of isolation to the mainstream of competition in our society. As a result, many of the traditional ways of dealing with the blind are changing and being challenged. So it is today with the long-established practices of the insurance industry.

Mr. Chairman, I believe the record will show that we have been extremely patient in trying to obtain fair treatment from the insurance industry. As far back as 1965, we made appeals to the National Association of Insurance Commissioners, asking for a ban on discrimination based on blindness. But the insurance commissioners were not convinced. I guess they thought the industry would be fair or perhaps they didn't care. Whatever, nothing was done.

That was twenty years ago, and here we are today still talking about the issue of insurance discrimination. We'll stop talking about it when the practices end or substantially abate. In testifying about this matter before your subcommittee last year, other witnesses and I described the most typical insurance practices that we regard as unfair treatment. These include: refusing to insure people who have been blind less than five years, or charging such individuals extra rates; refusing to include the waiver of premium rider on life insurance policies sold to people who are blind; refusing to sell blind persons accidental death benefits, or requiring extra premiums to obtain the rider; charging extra rates for all blind persons on personal health insurance policies, or denying the coverage altogether; and refusing to sell life insurance protection in the case of totally blind persons who are under age fifteen. These are the most common.

At the close of last year's hearing, you asked representatives of the National Association of Insurance Commissioners to find out whether in fact these and similarly unfair insurance practices were occurring. In short, you asked NAIC to determine if the companies were actually complying with NAIC's then model regulation on blindness. Well, NAIC did check up on the companies, and the results showed that there is discrimination based on blindness. There is, and it continues. On December 14, 1984, NAIC acknowledged this is an official resolution of its executive committee stating that: "Certain members of the insurance industry are engaging in activities which were intended to be prohibited by the model regulation on unfair discrimination on basis of blindness or partial blindness." Then the resolution proceeds to describe these "activities" as constituting "unfair discrimination against blind persons in the sale of insurance." So there you have an official finding of the executive committee of the National Association of Insurance Commissioners. Discrimination against the blind still continues.

Now, where are we? Has there been any improvement? And if so, why? In the first place, NAIC has changed its model regulation on blindness. That was a positive step. The model now prohibits any form of discrimination on grounds of blindness and includes no exclusionary language, as it used to. So no deviation from the straight nondiscrimination standard is permitted according to the new model. But now comes the hard part, the new model is only a model. It doesn't have the force of law anywhere. But each state is encouraged to follow

it by changing the current laws or regulations. Only a handful have done so—Iowa, Oregon, Alaska, and North Carolina for sure. Some others are working on it, so a few more may be added to the list. But forty or more states are currently out of compliance with the revised NAIC model.

Some states have refused to adopt it. Scott Lewis will testify later that his (Washington) has refused and will likely continue to refuse. Meanwhile, in South Dakota the insurance commissioner has just recently proposed a state regulation covering health insurance. But he proposes to use the old, not the revised, NAIC model. So at least two states we know of appear unwilling even to consider NAIC's revised model. Meanwhile in Ohio adoption of NAIC's revised model on blindness has also been resisted. The opposition came from the insurance industry when the state insurance department asked the legislature to change an existing law. So the legislature gave up and the matter is at a standstill. That's three states.

By our count fourteen states and the District of Columbia currently have no law or regulation pertaining to insurance discrimination based on blindness. But even where there is such a law or regulation (whether it is the new NAIC model or a derivative of the old one), the regulators have still been unable to eradicate blindness-based insurance discrimination. This is because the processes they apparently have for investigation, complaint handling, and monitoring of the industry are woefully inadequate. For example, despite the fact that many states purport to prohibit insurance companies from refusing to sell blind persons accidental death

coverage or waiver of premium riders, we still find that the underwriting manuals of the companies advise as one does that "requests for accidental death and waiver of premium riders should be declined when the applicant is totally or partially blind or when the applicant has disease of the eye." That manual is widely used in the industry, and the states allow it to continue.

Last fall in a memorandum from its underwriting committee, the Lincoln National Insurance Company admitted straight out that the underwriting guides they use were not changed several years ago when NAIC adopted its original model regulation on blindness; but the underwriters were now proposing a change. Why? Well, the memorandum says it straightforwardly. The reason was the bill in Congress—H.R. 4642—the same bill ordered reported by this Subcommittee on September 12 last year. So you succeeded where the states had failed. The Lincoln National Insurance Company has now changed all of its formerly discriminatory underwriting practices, and we expect that move to have some ripple effect throughout the industry.

It is a known fact that the insurance industry and the state regulators are almost beside themselves with worry about what you in Congress might do with legislation such as this designed to protect the consumer. At a meeting with NAIC last December, I was publicly asked the pivotal question: "Would adoption of the revised model regulation on blindness be sufficient to persuade the National Federation of the Blind to abandon this effort to get Congress to act?" For the record, this was put to me by the President of NAIC publicly

before a roomful of onlookers. I said no. Let's face it. What Congress might do or say or might threaten to do or say is the real reason why we are making the progress that you will undoubtedly hear reported today.

This bill is not hostile to the state system, nor a rejection of it. Quite the opposite. In fact, H.R. 2741 is designed to support the state system—not to take it over. If enacted, this bill would merely provide individual supplemental protection in the event that an insurance department fails to do its job, and those failures do happen. Beyond that, the bill would establish a national standard of nondiscrimination concerning blindness which the industry could follow and everyone could understand. This bill is fully consistent with NAIC's revised model regulation on blindness or partial blindness. Let us underscore that point. We are not asking for anything that NAIC has not already agreed to and attested to the need for.

If Congress finds that the state system of regulation and enforcement cannot adequately control discrimination by the insurance industry, The Fair Insurance Coverage Act is certainly the appropriate vehicle to give individual relief to blind persons who are unable to obtain it from their states. Persons in the insurance department who really care about this issue should welcome the assistance. And those who oppose it will no doubt cling to their bureaucratic reasons for doing so. All we expect is fair treatment and a fair opportunity to contest any treatment that is not fair. But under existing law we get neither fair treatment nor a fair opportunity to do anything about

it. If there are those in the insurance industry who say they want to eradicate discrimination based on blindness, let them do it. So far they have not succeeded. If there are insurance regulators who are similarly committed, let them act. So far they have not succeeded either. And if they cannot succeed despite their best and noblest efforts, let the industry and the regulators not fight us further when we ask for help from Congress, especially with a modest proposal such as this.

Following this testimony there was a dialogue involving representative Norman Lent of Wyoming (ranking Republican on the Subcommittee), Mr. Florio (a Democrat, Chairman of the Subcommittee, and a co-sponsor of the bill), and Mr. Gashel:

Mr. Lent: Mr. Gashel, as I understand it, as a result of your meetings with the Lincoln National Reinsurance Company, that company has adopted underwriting standards to insure that discrimination against the blind is eliminated. Is this true, and isn't this a step forward to eliminating such discrimination?

Mr. Gashel: Mr. Lent, I believe that it is a result of this Subcommittee's work and the fact that you reported out a bill last September and that there is a bill pending in Congress now and they expected there to be one. I don't think it has a thing to do with me.

Mr. Lent: Well, regardless of why or the motivation, my question was isn't

this a fact and isn't this a step forward in eliminating this sort of discrimination?

Mr. Gashel: Absolutely.

Mr. Lent: And on page 3 of the testimony you submitted to the subcommittee, you list 14 states which have not enacted any prohibition on this specific subject. However, according to information provided to us by the NAIC, ten of the states listed have a prohibition against discrimination in insuring the blind, and two states have legislation pending. How do you explain this inconsistency?

Mr. Gashel: My data came from NAIC, so—

Mr. Lent: Well, we have from the NAIC Alabama, Georgia, New Mexico, Texas, West Virginia adopting the '84 model code, and pending in Idaho and New Hampshire.

Mr. Gashel: See, I don't know how to explain that because I am not privy to any information that says that the list of states you just read have adopted the '84 model. In the latest information I have from NAIC, it didn't indicate that.

Mr. Lent: Well, for example, Alabama, one of the states, adopted a regulation effective August 1, 1985. Alaska a regulation—

Mr. Gashel: Oh, Alaska, we know.

Mr. Lent: Adopted June 28. Arkansas effective August 1, 1985, a regulation. Georgia, effective July 1, 1985, a statute. Iowa, effective May 31, 1985, a regulation. Maine, effective September 19, 1985, a statute. Minnesota, effective 1985, a regulation. Missouri, effective 1985, a regulation. And so on. So it would appear that some of these adoptions have been rather recent.

Mr. Gashel: Right. That's true.

It's my belief that Minnesota has not adopted yet, although it's pending.

Mr. Lent: According to the NAIC, Minnesota has adopted a regulation effective now.

Mr. Gashel: According to the Minnesota Department as of yesterday, they had not. Georgia, I, in fact, checked on yesterday and couldn't find anybody in the insurance department to tell me whether they had or they hadn't. Same is true of Alabama. Maine, I believe, is probably correct. They were certainly working on it. You know, it is hard to find out whether the states have or haven't, but mostly we take our compilations from NAIC.

Mr. Lent: Well, I can't understand what the controversy is because the NAIC, if we have any—we have to have faith in somebody—they have certified in this document dated September 5, 1985, these states as having adopted the model 1984 version code either by regulation or by statute. Let me just skip to another subject.

Mr. Florio: Will the gentleman yield on that point?

Mr. Lent: Sure.

Mr. Florio: Just to keep this in proportion, what the gentleman from New York is saying is that the information that he has, that we have, is that ten states have adopted by regulation the '84 code which you have acknowledged you think is good—

Mr. Gashel: Absolutely.

Mr. Florio: —and two have done it by statute. That means thirty-eight have not. Isn't that the crux of the point that you have been trying to make?

Mr. Gashel: I think so. It is very clear the NAIC model isn't sweeping the nation yet.

Mr. Florio: Okay. I think that is helpful to bring out, and I thank the gentleman for yielding.

Mr. Lent: Well, we will have the NAIC testify in a little while, but I think what the NAIC is saying is that all these states, twelve or whatever it is, have adopted, and there are another twelve or thirteen that have this model code pending. So hopefully there will be some favorable action.

Mr. Gashel: I guess I would wonder why all fifty don't have it pending. I mean the remaining—

Mr. Lent: Well, maybe they do and maybe they don't, but I really wonder whether it is our province to tell a state, in view of the McCarron Act, whether it is our province to tell a state, for whatever reason they do or don't want to have it, that they have to have it. That is the problem. And whether we ought to give a federal court action to an organization, a group of people who don't want to be discriminated against but do want to be discriminated in favor of by having a special jurisdictional law passed that would give them access to the federal courts that someone with a heart murmur who can't get life insurance doesn't enjoy. That is the issue.

Mr. Gashel: I think that what you have got to do is consider this. You know, there is absolutely no evidence that blindness as a condition justifies the kind of things that are going on, denial of waiver of premium and all the other things that we talked about. There is undoubtedly, although I haven't ever studied the issue of heart murmurs, evidence that shows that people with heart murmurs are going to have heart conditions, heart attacks of problems or

whatever.

So in the case if blindness we are just talking about a condition that is irrelevant to risk, but in the case of heart murmurs we have got a case that is relevant to risk. So we are not asking to be singled out; we are asking to be treated equally. We are asking to be given the right to have insurance on the same terms and conditions as anybody else could get with the same degree of risk. If the state insurance departments and state codes can't deliver that, which they have so far not been able to do, then we are asking for some avenue of being able to redress that problem in another forum without trying to burden the federal government with it.

Mr. Lent: In a state, Mr. Gashel, where they have adopted the model code, the '84 version, and a blind person runs into a refusal to sell or a refusal to make available waiver of premium or attempts to impose excess fees and so forth, that would be a violation of that state law, would it not?

Mr. Gashel: Yes, sir.

Mr. Lent: And the remedy for that would be in the state administrative and judicial arena, would it not?

Mr. Gashel: Yes, sir.

Mr. Lent: Well, it just seems to me if you are not getting what you want, if there is a violation, direct and unequivocal, of a state law where the model code is the law and an insurance company endeavors to refuse waiver of premium or extract a higher premium rate, that the remedy of the aggrieved party would be in the state rather than to come to Washington and ask us to pass a super-law that would give blind people access to federal courts.

Mr. Gashel: I don't really see this as a super-law. It is—

Mr. Lent: Well, if you have a withered arm or you have a heart murmur or you are in a wheel chair and you have trouble, you don't go into federal court. You go into the state court. Not everybody is—only a special set of circumstances where people have access to the federal court. There has to be diversity of citizenship or there has to be a constitutional issue, or it has to be a suit by a state against the federal government or a state against a state.

The federal courts are crowded. There are only certain situations where someone can go into the federal court. It seems that we are carving out, or attempting to through this legislation, a particular sort of situation where if you happen to be blind rather than deaf, or you happen to be blind rather than have a heart murmur, or happen to be blind rather than have a crippled arm or leg, you can go into federal court, but your next door neighbor who fits into one of those other categories is relegated to the state court system or the state insurance administrative system.

By adding this kind of provision to the bill, you are going to trigger jurisdiction by the Judiciary Committee, and believe me, they are not going to look kindly on the extension of federal court jurisdiction for this one particular sort of situation.

Mr. Gashel: I think you have to look at these issues on an individual case-by-case basis, and you have got to see whether or not there has been a real effort by these different groups that you have listed, Mr. Lent, to try to get the state system to work for them and we have really made that effort. We have

made a strong and consistent effort, and that is clearly documented. And if we cannot then get relief by trying to use the state system, or if that relief is very inconsistently delivered, then it seems to me from the standpoint of the consumer what option do we have but to ask for?—there is just no way.

Remember you are dealing with an administrative agency in a state, and that agency builds a record based on its analysis of the complaint, and then the person has to go and appeal on the basis of that record into the state courts, and that, too, is a disadvantage, depending on how consistently or good or carefully the state insurance department investigates the claim. And as we have said, they don't do it very well in a lot of cases. That is what we are saddened with and discrimination is continuing. We can't think of any other option to make the system work.

Mr. Lent: Well, It would seem to me—you know, you have a 1984 model code. This is only 1985. You have got that model code either adopted or pending adoption in 25 or 50 percent of the states in the union. That's not a bad track record. If I were in your position, I would be patting myself on the back and asking for new people to join my organization because that's an excel-

lent and outstanding record.

Mr. Gashel: What I would like is for the State of New York to join the ranks. (Laughter).

Mr. Lent: My understanding, because I happen to be very friendly with Senator Dunn, who used to be the head of the Insurance Committee up in Albany in the State Legislature is that they feel that they have covered this through their unfair trade practices statute. I don't know if that's an adequate answer or not.

Mr. Gashel: Well, I don't think so because every state has that act. The same argument was also made by the NAIC that it doesn't really matter if we even have these different states that have enacted this model because we all have the Fair Trade Practices Act.

Well, then, why does NAIC go off and adopt this new model? I mean, they clearly feel the need for something to be done. I think New York should too. It's a big state.

Mr. Gashel: Good.

Mr. Lent: I think that's the way to handle it, to do the lobbying on the state level.

Mr. Gashel: Good.

Mr. Lent: I have no further questions.

OF ELECTIONS AND EQUALITY

by Diane McGeorge

Our struggles for equality take place in many arenas—sometimes in airports, sometimes in universities, and sometimes at the polls and in the press.

On November 5, 1985, Homer Page was elected to his second term on the Boulder City Council, receiving 8,326 votes, making him the top vote getter in Boulder among the twelve seeking election. The Boulder City Council is made up of nine members, who are elected at large. City Council elections are held every two years, with five positions being filled each time. The top four vote getters in each election win four-year terms, and the fifth person wins a two-year term. The nine Council members then select the mayor from their ranks. One Council member must receive five of the nine votes cast in order to be elected mayor, and the same process is used to select the deputy mayor.

Shortly after the November election Homer made it clear to his colleagues that he wished to become the next mayor of Boulder. This triggered a series of events which are documented in excerpts from articles, which appeared in the Boulder Daily Camera and which we reprint here.

Federationists in Colorado who watched those events unfold over the next two months felt a combination of outrage and concern. Those feelings changed as the letters and editorials continued to appear. The first article appeared on the front page of the Boulder Daily Camera on December 8, 1985:

Page Wants to Prove Blindness Not an Issue

by Sally McGrath
Camera Staff Writer

Homer Page has been blind since birth, but he believes he has the vision to serve in the city's highest office.

"I want the other council members and the public to support me because of my abilities and not because of my inability," Page, one of the three council members up for the mayor's job, said Saturday.

Another reason he wants the job is to show the world that the handicapped can get the job done. Said Page, "This would demonstrate in a very public forum how little difference a disability makes."

But Councilman Phil Stern opposes Page's mayoral bid in part because he is blind.

Stern emphasizes that a difference in philosophy between himself and Page is the main reason he opposes a Page mayoral bid. (Stern considers environmental factors to be the main framework for evaluating issues; Page considers the environment to be one element of his evaluations.)

Stern brought up the blindness issue in an interview last week when the Daily Camera was polling council members on their leanings for mayor. Members will

choose a mayor from their ranks on January 1. Page, Linda Jourgensen and Spense Havlick are candidates.

Stern said Page's lack of sight could create problems.

"I have questions about a sightless person being able to conduct a meeting of nine people elected at large," Stern said. "It's not to say he can't conduct a meeting; it's to conduct a meeting with a body where there are dynamics and the mayor has to be in tune with those dynamics. I think the balance that is going to be on council is going to be very subtle," and Page could flip that balance if he is not sensitive to it, Stern said.

But Page, director of the Office of Services for Disabled Students at the University of Colorado and a teacher in the College of Education, said he will have no problems conducting meetings or performing any other mayoral duties.

"I just don't understand the questions about how I would run council meetings. It seems like such an easy kind of thing," Page said.

Now, someone records his background material for council meetings, and Page listens to the tape. Some documents are transferred into Braille by volunteers at the Boulder Public Library.

Page, with someone's help guiding his hand, "looks" at developments by tracing roads, open space and other features on a map.

"I'm so familiar with the city by now that verbal descriptions are all I really need to familiarize myself with a project," he said.

Page said he will dictate correspondence for the council's secretary the same way he handles his other correspondence.

He cites his experience as chairman of the Governor's Council on the Physically Handicapped, the Mobile Home Task Force and numerous other groups as proof that he can conduct meetings.

Minor changes in the conduct of meetings may be necessary, he said. For example, instead of council members raising their hands to be called on, Page said he would ask them to make the request orally.

Another change would involve public hearings. Now, people in the council audience who want to speak sign a sheet of paper, which is handed to the mayor. Page said he would have someone—not on the city staff—quickly transfer the information to a Braille card.

Page said he would ask the deputy mayor to make sure that everyone who wants to speak is acknowledged.

Ruth Correll, mayor for the past nine years, knows well what it takes to be mayor.

Correll said some modifications will have to be made to accommodate a blind mayor if Page is selected.

"There are certain choices that the mayor has to make, like which council member are you going to call on when four hands go up. You make a choice to start at one end or the other. You try to vary that depending on what you did before. That kind of choice, which is made in the mayor's head (and quickly), is one of the things that would have to be dealt with."

The volumes of mail would have to be dealt with differently, she said.

"These are things which the sighted person handles one way and the person who is blind handles another. Of course, Homer Page is the first person to recognize this. To say it's done

differently is not to say it can't be done," Correll said.

Other council members, including Page's two competitors for the mayor's post, said his blindness is not a factor in considering his mayoral bid.

"We will have to make an effort—more than if Homer wasn't there," said Steve Pomerance, who will join the council January 1. "The question is: Is Homer, with that restriction, better than somebody else without that? It doesn't put him out of the running for me."

"Having worked with him so long, (his blindness) is one of those things you forget about," said Councilman Bob Greenlee.

"I'm not concerned about that component."

Page said this is not the first time his lack of sight has been raised during a political campaign. In fact, his recent City Council race was the first time it was not raised, he said.

"I thought we'd finally buried that issue," he said. "But when I try to take the next step, the issue comes up all over again."

On the day this article appeared Homer started receiving calls from his friends and supporters throughout Boulder asking what they could do to counteract the negative attitudes expressed by some of the Council members. It was suggested that personal contacts with those Council members, as well as letters to the editor, would be helpful. However, even before the first letter was published, the following editorial appeared in the Daily Camera on Wednesday, December 11:

He Sees Well Enough

It seems as if it happened ages ago. A fellow announced his candidacy for office in Boulder and the headline in the Daily Camera read "Blind Democrat announces bid."

The writer of this editorial remembers the phone call the next day from a friend of Homer Page. Please, the caller said, there is much more to this man than his blindness.

And so there is. After spending a few hours talking with Page, after watching his service to the community, after noting his warmth and sincerity, we see that there is indeed much more to the man.

In our opinion, Homer Page should be chosen by the members of the new City Council to be the mayor of Boulder. He was the leading vote getter in the last election. This despite his devotion to some unpopular but much needed city programs.

We go back to what we said about Page when we gave him our top endorsement for the council. Page has courage.

He has the guts to do something simply because it is right.

In the past we have announced our candidate selections prior to the election, but we have pulled back on endorsing a candidate for mayor. The elected panel has to work with the mayor, after all, and should be in a position to make its own best selection.

But Councilman Phil Stern has raised the issue of Page's blindness and the ability to serve as mayor.

Please. There is so much more to the man than that.

Linda Jourgensen has done a fine job on the council and deserves consideration for the title of mayor. But for God's sake, let no member of the panel withhold his vote from Homer Page because of his blindness.

Page has triumphed over his handicap to achieve quite a standing in this community. He was born without sight but he has made do with vision.

We would be proud to have Homer Page represent our city. He proved to us long ago that his kind of vision is broad in scope, covering many community needs. Some others on the panel should see so well.

Once you read an editorial like this, you know that the work of the National Federation of the Blind has not been in vain.

The support expressed by the community at large was equally gratifying. Alexander Bracken, Director of Personnel, Ball Aerospace Corporation, wrote the following letter:

Judge on Merits

Editor:

The City Council's selection of Boulder's next mayor is a critical one for setting the tone and providing the leadership for the Council and the city in the next several years. It is unfortunate that the issue of blindness has been raised in the selection process.

The Camera's December 8 front page story on who will be mayor injected a sad insensitivity into the mayoral

issue. Councilman Stern's comments as to Homer Page's capabilities and suitability to be mayor because of his blindness reached a new low level for judging one's merits. Why was it necessary to raise the blindness issue at all in talking about Mr. Page's qualifications?

I have had an opportunity to serve on a community organization board with Homer Page, a board which he has chaired for several years. His ability to lead and effectively manage the work of this organization has not been hampered in any way by his blindness. Indeed, he has been an outstanding leader.

I hope the City Council will judge and vote on each candidate's proven capabilities and not let one person's disability be reason for less consideration. Homer Page has demonstrated his leadership skills, and his vision for Boulder is more comprehensive and insightful than others who can see.

Alexander E. Bracken

Enid Schantz, Homer Page's campaign director during this past election, spells out the meaning of bigotry as we have all experienced it:

The Blindness Issue

Editor:

So Phil Stern thinks Homer Page can't handle the job of mayor because he's blind.

The most charitable interpretation I can put on Stern's lengthy remarks in the December 8 story by Sally McGrath is

that Stern honestly believes he is simply facing the realities of the situation.

So, too, were the Southern slave owners who knew that blacks were inherently inferior, and the generations of Americans who knew women didn't have the native intelligence to be allowed to vote, and the Nazi hierarchy who knew Jews were too racially polluted to be allowed to live. The curious thing about bigotry is how easily it can be rationalized by the people who are afflicted with it.

I've been through several political campaigns with Homer and, as he says, blindness has been an issue—if often an unspoken one—in every one but the last. Homer's solid first-place finish in November showed that there are a lot of voters out there who know he can do the job, as do other council members who have served with him and the many people who have worked with him over the years.

Right now Council is faced with a difficult choice, selecting one of two very caring, committed, and capable people—Homer Page and Linda Jourgensen—who want the job of mayor. Stern's attempt to discredit Page on the grounds of his blindness is a cheap shot that I'm sure will be recognized as such by the other people making that decision.

It's just too bad that being a bigot isn't grounds for either disqualifying Stern from participating in that decision or for being recalled from Council.

Enid Schantz

On the morning of January 1, 1986, while Federationists crowded the Council chambers in Boulder, the new City Council members were sworn in. The election of the mayor and the deputy mayor were the only items of business on the agenda, and when the votes were counted, Homer had been elected deputy mayor of Boulder. While serving in this office, he will work closely with the Mayor, Linda Jourgensen, in planning and running City Council meetings, in providing and interpreting policy direction from the Council to the city staff, and will work closely with the community in development and interpretation of policy. Early in February, Homer was the keynote speaker at a conference on Advocacy for Children sponsored by the City of Boulder Child Care Center.

When we look back over the time between November 5 and January 1, we know we have come a long way. Yes, there are still unenlightened people who would hold us back and keep us down, but there is also the National Federation of the Blind—our only effective vehicle for collective action. There are hurdles and obstacles to overcome, but there are also the Enid Schantzes and the Alexander Brackens, who believe in us and who will work with us—and Homer Page is deputy mayor of Boulder, Colorado—the biggest vote getter in the City Council election last fall. Homer Page has shown us that a blind person can be elected to a high office in a major community. There are many elections yet to come, and each victory brings us all closer to the top of the stairs.

FEDERATIONIST NAMED ONE OF TEN OUTSTANDING YOUNG AMERICANS

Curtis Chong is a very dedicated Federationist. He serves in several elected positions: President of the National Federation of the Blind in Computer Science; Vice President of the National Federation of the Blind of Minnesota; and Immediate Past President of the NFBM Metro Chapter. He can be found at any hour of the day or evening conferring with blind people about the latest technology in the computer industry or testing the most recent speech software. He writes articles for Federation newsletters, the Braille Monitor, and Future Reflections. He is available to do public speaking about blindness and the Federation, and he travels nationwide to NFB conventions, Marches on Washington, and NAC Trackings. Besides all this, Curtis holds down a responsible job as Systems Programming Specialist for IDS Financial Services in Minneapolis, Minnesota.

On January 16-18 Curtis and his wife Peggy traveled to Tulsa, Oklahoma, where Curtis was honored as one of Ten Outstanding Young Americans by the U.S. Jaycees. It was a weekend of banquets, receptions, and press conferences, in which Curtis, together with nine other leading citizens of the United States, received recognition for his achievements. At the award ceremonies held on January 18 Curtis received a replica of two hands reaching toward each other on a marble base with the inscription: "The hope of mankind lies in the hands of

youth and action; Curtis D. Chong—one of ten Outstanding Young Americans for 1986—presented by United States Jaycees—January 18, 1986."

The 1986 TOYA award which Curtis received was preceded by two 1985 honors also presented by the Jaycees. In January of last year Curtis was given the Distinguished Service Award by the Minneapolis Jaycees, and one month later he became one of Ten Outstanding Young Minnesotans for 1985.

All of these awards were surrounded by extensive press and media coverage, both locally in Minnesota and throughout the country. All Federationists are proud of Curtis, who is highly deserving of the honor bestowed upon him by the Jaycees. Too often awards are given to blind persons who regard themselves as "exceptional" or "amazing." They accept the award as recognition of their personal accomplishments, never giving credit to other blind individuals or any organization that may have helped make it possible. Not so with Curtis. He proudly acknowledges the role of the National Federation of the Blind in making his life the success it is. He also accepts responsibility for trying to help improve the quality of life for other blind people. Of course, that's what makes Curtis a Federationist. He speaks and lives the philosophy of the Federation, and the publicity concerning his award showed it, too. Here are a few excerpts from news coverage of the

TOYA award:

Curtis Chong works with computers. He also works for the independence of blind people. "There are too many blind people who, after losing their sight, come out of rehabilitation agencies convinced there's nothing for them but to sit at home and do nothing. That's a real tragedy, because they can go on and lead productive lives," said Chong, computer systems programmer for IDS Financial Services in Minneapolis.

At first sheltered from the sighted world by Hawaii's school for the blind, Chong learned to be independent when he entered the more competitive public schools. After attending the University of Minnesota for a short time, Chong applied to a Minneapolis computer training institute but was turned down because of his blindness. But Chong persevered—he was accepted at Brown Institute and finished at the top of his class with a 98.6 grade point average.

Since his teens, Chong has candidly spoken out on issues concerning blind people. In 1972 he spearheaded the campaign against sheltered workshops in Hawaii, leading to an open hearing. The Minneapolis Jaycees is currently developing a computer speech output system with the National Federation of the Blind. With it, he hopes to enhance blind job seekers' marketability...

Under a picture of Curtis at his com-

puter at IDS Financial Services is the caption: **BREAKING DOWN THE BARRIERS OF BLINDNESS**—For his vision of making computers more accessible to the blind, Curtis Chong has been selected by the U.S. Jaycees to be among the Ten Outstanding Young Americans for 1986...

These are typical examples of the press coverage. During numerous interviews Curtis spoke of the seventy percent unemployment rate among working-age blind people and of what the Federation is doing to reduce that figure. He spoke of the real problems faced by blind job seekers when at an interview they are asked more questions concerning their blindness than their abilities to do the work. He explained the problems blind people are having with the airlines and how this discrimination is harmful to the image of blind people when it happens in the presence of co-workers.

Indeed, it is encouraging and refreshing to see this change in the approach to a blind person's winning an award. None of the melodrama and pity-invoking anecdotes which tell of how this "unusual" person "overcame" his "severe handicap" in the publicity surrounding Curtis' recognition.

Congratulations to Curtis on receiving the award, on the achievements which made the award possible, and on his personal attitude and handling of the news coverage surrounding the event.

RECLAMATION AT ITS BEST

by Diane McGeorge

Long-time Federationists will remember well the formation of the International Federation of the Blind. It was Dr. tenBroek's strong desire to share our philosophy with the blind people around the world, and he was instrumental in the formation of the IFB. Dr. Jernigan and he, along with Dr. Isabelle Grant, worked with blind leaders throughout Europe and Southeast Asia to bring about an organization which was to have given a new direction to lives of people in countries where welfare agencies had dominated them completely. What an unfortunate path the IFB followed, and instead of becoming the vehicle for collective action for blind people around the world, it became just another agency-dominated group of blind people with a "me, too" philosophy. The action taken by us in withdrawing from the IFB last year was the only course we could reasonably have taken.

It is important for Federationists to know about one of the most positive aspects which grew out of the IFB and our involvement in it. We spread our positive philosophy about blindness and along with that philosophy embarked upon what is commonly called in and around Denver, Colorado, the "Braille Book Project."

Dr. Isabelle Grant was an energetic, very caring member of the NFB, who lost her sight when she was in her fifties and found the NFB shortly afterward. She was a teacher in the Los Angeles public schools. In 1960 Dr. Grant took

a sabbatical to do extensive traveling throughout the world to study the education of the blind. She came back to Dr. tenBroek saying that there were very few schools for the blind, practically nothing in Braille, and virtually no opportunities for the majority of the blind who wished to do more than mere begging for a living. She wanted to establish more schools for blind children and spent a good deal of time in East Pakistan teaching Braille to blind adults who could then become teachers in those schools or in the few established schools.

It was in 1961 that she first came to Denver and met members of the National Federation of the Blind of Colorado. She spoke at our state convention, and following that convention Federationists gathered in the McGeorge's home to learn more about her efforts to establish schools in East Pakistan. Ray McGeorge was particularly fascinated with the ideas she presented to the NFB of Denver concerning collection of discarded Braille textbooks which could then be shipped to a school.

The project began with the collection of a few discarded books and Ray, along with his two small sons, spent evenings sorting and packing these books, which were then mailed to a school which the NFB of Denver had adopted in East Pakistan.

Word spread throughout the country; and Federationists started contacting libraries for the blind, schools for the

blind, and special education departments which were discarding textbooks. Textbooks started pouring in. It wasn't long before the project had outgrown the McGeorge's basement, and Ray rented a garage in the neighborhood.

In 1967 he contacted the Telephone Pioneers, who became interested in working on the project with him. By this time the project had outgrown the neighborhood garage and was moved to the NFB of Denver office and is now primarily handled by the Telephone Pioneers under the able supervision of Lou Parker.

In 1985 Lou submitted a report which showed that the Pioneers mailed thirty-seven tons of Braille and large print books. Along with the Pioneers (sorting, packing, and mailing), some of our own NFB of Denver members help when they are available. Richard Moon, a long-time Federationist who is now retired, comes to work on the project two or three times each week.

We try to meet special requests. For

example, a student in Africa wrote to ask if we might have a Braille book containing writings by famous American authors since he was studying American literature. Fortunately someone had sent a number of volumes of a collection of essays by American authors, and it was mailed to the student. When we receive special requests from students in the United States, the books are sorted to see if we can send the material. All of the books may be sent as Free Matter for the Blind. However, the costs of packaging rise steadily.

The project which started in the McGeorge's basement has now reached proportions which are almost unbelievable. Last year 27,600 books were mailed. We can all take pride in such a major accomplishment. Federationists have made it successful by contributions of books and also have helped make it possible through PAC donations, which have helped keep it alive and growing.

SHELTERED WORKSHOPS: NOW CONGRESS IS ASKING THE HARD QUESTIONS, AND WHERE ARE THE ANSWERS?

The Committee for Purchase from the Blind and Other Severely Handicapped is a small federal agency with a staff of about a dozen and an annual budget of less than \$1 million. Its establishment, authority, and functions are set out in the Javits-Wagner-O'Day Act. Generally the Committee is responsible

for ruling on the eligibility of sheltered workshops to sell their products to the government without competition and for deciding what items federal agencies are required to buy from the workshops.

As every other federal government agency is required to do, the Committee

appears each year before Congressional subcommittees in the House and Senate having to do with the appropriation of money. In the past the Committee's appearances have been pro forma, and the small appropriation has later been approved without question or controversy.

Things are changing, however. During this year's appropriations cycle, the Committee is being required to submit more information to Congress than ever before. That is not by accident. It is all part of the chain of events we set in motion several years ago designed to reform the sheltered workshop system. Those reforms are now coming, one step at a time. Remember the House Report which criticized the workshops for tokenism, finding that few blind or handicapped people are employed as managers or supervisors? The same criticism was also leveled at National Industries for the Blind.

Some in Congress want to know if there has been any improvement. So the best time for them to find out is when the Committee comes to Capitol Hill to ask for money. It's the old principle: "You have to give a little to get a little." The Committee's annual funding request is first considered at the appropriations subcommittee level in both the House of Representatives and the Senate. The procedure used by the subcommittee involves a hearing, at which the chairman or any members may ask any questions they may have about the Committee's program. Normally the hearing is routine and uneventful, and the script is cut and dried.

But last year there was a new tone. Subcommittee members in the Senate seemed quite interested in finding out how employment opportunities for the

blind in sheltered workshops compare with employment opportunities for the sighted. Questions were also raised about employment of the blind at National Industries for the Blind, a subject that almost seemed taboo in the past. What's more, the Senate subcommittee was even interested in the financing of National Industries for the Blind. These questions were significant by themselves. But the answers of the Committee witnesses (which amounted to "We don't know," or, "We don't have that information") were even more revealing. Here is a transcript of the exchange:

Additional Committee Questions

Question: For the record, please provide a list of all organizations or groups that received grants from National Industries for the Blind since the beginning of the NIB's fiscal year 1982.

Answer: The Committee for Purchase does not have that information since it is an activity conducted by the central nonprofit agencies (CNA's) outside the Committee's program.

Question: Provide the amount of each grant to each organization or group and state the purpose for which the funds were provided.

Answer: The Committee does not have that information.

Question: How many jobs does the Committee's program provide for the blind and handicapped in direct labor?

Answer: In fiscal year 1984 there were 14,134 blind and other severely handicapped persons employed in producing commodities or providing services for

the government under the Committee's program.

Question: What percentage of all direct labor jobs in the workshops does this represent?

Answer: The Committee does not have that information.

Question: What percentage of the management and supervisory jobs are held by persons who are blind or handicapped?

Answer: The Committee does not have that information.

Question: Is your Committee aware of recent findings by the Department of Labor that Milwaukee Industries for the Blind has not complied with affirmative action for the handicapped requirements of the Rehabilitation Act of 1973?

Answer: Yes.

Question: What program does your Committee have in place to inform blind and handicapped workers of their rights to affirmative action for employment and advancement in the workshops?

Answer: The regulations regarding affirmative action obligations of government contractors are published and enforced by the Department of Labor. They are included in Code of Federal Regulations Title 41, Part 60-741.

Question: During fiscal year 1985 how many new positions in management and supervision of workshops were obtained for blind and handicapped persons due to the additions of products or services to the procurement list?

Answer: The Committee does not have that information.

Question: How many jobs would you anticipate would be added in management and supervision during fiscal year 1986 to employ the blind and handicapped?

Answer: The Committee has no basis for forecasting the number of management and

supervisory jobs to be added in fiscal year 1986.

Question: Please explain the Committee's method of approving or disapproving annual budgets of the central nonprofit agencies.

Answer: The Committee does not approve or disapprove the annual budgets of the central nonprofit agencies.

Question: Do you evaluate budget needs of the CNA's (central nonprofit agencies) and direct changes in the commissions they charge to the workshops?

Answer: The Committee evaluates the needs of the central nonprofit agencies in order to establish the maximum fee that the central nonprofit agencies may charge their participating workshops.

Question: Please indicate how often within the past five years these adjustments have been directed by the Committee.

Answer: During the past five years the Committee has not changed the limit of four percent that the central nonprofit agencies may charge their participating workshops.

Question: Does current law give your Committee authority to require workshops to employ blind and handicapped people in management jobs?

Answer: No.

Question: In your judgment are the blind and severely handicapped fairly represented in the management of the workshops?

Answer: The Committee has no basis for answering this question. The Committee encourages participating workshops to employ blind and handicapped in management or supervisory positions.

Question: As a criteria for designating the central nonprofit agencies, has your Committee developed formal

requirements for them to follow in employing blind and handicapped people?

Answer: No.

Question: Please explain which jobs at National Industries for the Blind are now being done by blind employees.

Answer: The Committee does not have that information.

Question: What is NIB's (National Industries for the Blind) total work force?

Answer: The Committee does not have that information.

Question: What is NIB's total payroll?

Answer: The Committee does not have that information.

Question: What amount of NIB's total payroll represents salaries and fringe benefits paid to blind employees?

Answer: The Committee does not have that information.

Question: Is it the Committee's position that budget and spending practices of the central nonprofit agencies are beyond the scope of Congressional review each year during the appropriations process?

Answer: The Committee does not have a position on this subject since it is the prerogative of the Congress to determine what information the Committee must submit to support its appropriation request.

Question: Isn't it true that the total cost of your program includes the commission payments made to the central nonprofit agencies?

Answer: No.

Question: What would the total cost of the Committee's program be if you included the amount of the commission payments to the CNA's for fiscal year 1985?

Answer: The Committee does not agree

that the fee paid the central nonprofit agencies is part of the cost to the government of the Committee's program.

Question: What do you expect the total cost (including CNA commissions) to be for fiscal year 1986?

Answer: See reply to the previous question.

This exchange took place in writing and appears as a part of the printed record of last year's Senate appropriations subcommittee hearing. It is that record which formed the basis for later action by the full appropriations committee. Here's how it works. The full Committee approves an appropriations bill stating the amount of money which each agency may spend during the federal fiscal year in question. A report is also produced by the full Committee containing certain instructions and requirements which may pertain to the spending of money by any federal agency. The Committee Report is also used to require federal agencies to submit certain types of information during the consideration of future funding requests.

With this in mind, the Senate Appropriations Committee was obviously less than pleased with the answers of "We don't know," or "We don't have that information." Any agency may be able to get away with such responses the first time the questions are asked, but Congress can ultimately require the answers to be produced, no matter how unpleasant they may be. So, on September 9, 1985, the Senate Appropriations Committee got its chance to respond to the "We don't know," and "We don't have that informa-

tion," kind of answers.

Senate Report 99-133 announces several new requirements that the Committee for Purchase from the Blind and Other Severely Handicapped must meet beginning with the appropriations request for fiscal year 1987. It is significant that the Senate Appropriations Committee is now demanding to know what kind of employment opportunities are being offered to the blind in workshops as compared to those that are offered to the sighted. They also want to compare average pay scales for the blind and the sighted. And not just for the workshops but for National Industries for the Blind, as well. These reporting requirements are unparalleled in the history of the Javits-Wagner-O'Day program. The Committee on Purchase from the Blind and Other Severely Handicapped is already showing signs of resistance, arguing that there is too much paperwork in gathering the information for Congress. That is nonsense, of course. The Committee should be assembling such information (especially about employment opportunities and pay for the blind) in the normal course of its business. The resistance in reporting this data is either a marked insensitivity to the employment needs of the blind and handicapped or perhaps there is more than just a little shame involved for the Committee to have to admit that the management ranks of this program are still rife with tokenism. Despite its resistance, the Committee will ultimately have to tell Congress how the workshops are doing. Platitudes are no longer good enough. Congress wants to know if blind and handicapped people are being hired in the upper level ranks and how their pay compares to that of the

sighted who are not handicapped. It's about time someone asked. The answers will be enlightening, to say the least. Here is the entire section from the Senate Committee Report:

Senate Report 99-133

The Committee recommends the full budget request of \$730,000 for the Committee for Purchase from the Blind and Other Severely Handicapped.

The Committee's primary objective is to increase the employment opportunities for the blind and other severely handicapped and, whenever possible, to prepare them to engage in normal competitive employment. The Committee on Purchase determines which commodities and services are suitable for Government procurement from qualified nonprofit agencies serving the blind and other severely handicapped; publishes a procurement list of such commodities and services; determines the fair market price for commodities and services on the procurement list; and makes rules and regulations necessary to carry out the purposes of the act.

The Committee staff supervises the selection and assignment of new commodities and services, assists in establishing prices, reviews and adjusts these prices, verifies the qualifications of workshops, and monitors their performance.

Reports from the Committee for Purchase from the Blind and Other Severely Handicapped

The Committee is concerned over reports that the Committee for Purchase from the Blind and Other Severely Handicapped (CPBOSH) may be failing to provide adequately for expanding employment opportunities for blind and severely handicapped individuals. Particularly, there is evidence that blind and severely handicapped people are not recruited or promoted into management or supervisory positions in the sheltered workshops or in the central nonprofit agencies. These agencies (National Industries for the Blind and National Industries for the Severely Handicapped) are designated by CPBOSH to operate on its behalf in administering this program and function directly under CPBOSH jurisdiction. Yet, there is evidence that the employment practices of the central nonprofit agencies (especially with respect to recruitment and promotion of blind and severely handicapped individuals) have not been closely monitored by CPBOSH. Also, the Committee needs more complete financial information to assess the operations of these instrumentalities which participate substantially in the administration of the CPBOSH Program.

The Committee believes that the sheltered workshops and the central nonprofit agencies should become model employers for the utilization of blind and other severely handicapped individuals in all positions and at all levels of responsibility. To aid CPBOSH in achieving these goals, justifications submitted to the Committee, beginning with the 1987 appropriations request, shall include specific data in sufficient detail to make possible a comparison of employment opportunities,

pay, and benefits which the CPBOSH Program provides to: (1) blind individuals, (2) other severely handicapped individuals, and (3) other individuals who are neither blind nor severely handicapped. Specific data shall also be included to show the positions, pay, and benefits provided to blind individuals employed by National Industries for the Blind as compared to the positions, pay, and benefits provided to sighted individuals employed by that agency. Similar information shall likewise be submitted with regard to employment opportunities provided by National Industries for the Severely Handicapped.

The Committee is also advised that a substantial portion of the revenues expended to administer the CPBOSH Program are derived from commissions paid to the central nonprofit agencies from purchases made by the Government. The commission revenues finance the central nonprofit agencies and provide over 90 percent of the funding for this program. These payments derived from Federal purchases are above and beyond the amount appropriated directly for salaries and expenses of the CPBOSH. Beginning with the fiscal year 1987 appropriations request, CPBOSH is directed to submit cost information showing how the commission rate paid to each central nonprofit agency is justified. Such information shall also include the audited financial statement of each central nonprofit agency for the fiscal year just ended, a financial operating statement up to date for the fiscal year in progress, and a budget for the fiscal year in progress at the time the justifications are submitted.

THE BRAILLE REVOLUTION

(The following remarks were delivered by Karl Smith, President of the National Federation of the Blind of Utah, at a press conference on September 6, 1985, announcing the opening of the NFB of Utah Computerized Braille Transcription Service.)

Five hundred years ago, some time around the year 1447, Johann Gutenberg, a young German goldsmith and printer living in Strasbourg, France, devised a new method of printing which, in a very short time, would revolutionize society and render obsolete all previous methods used to that time. It was a simple invention, a modification actually of the printing press to use moveable metal type rather than solid castings, which had to be melted down and recast every time a different item was to be printed.

Prior to the introduction of Gutenberg's invention, printed material was not readily available to the general public. In fact, books and other documents were almost unheard of among all but the upper class. After Gutenberg, however, the situation changed rapidly. With the newly acquired ease and economy of producing printing, many kinds of material became available. As more and more information sources opened to everyday people, the demand for items such as pamphlets, newspapers, books, and much more increased until today we are literally bombarded by thousands of printed words daily in the form of schedules, instructions, public information pamphlets, menus, and an endless

number of other items.

One hundred fifty years ago, again in France, a teenaged blind student named Louis Braille developed a workable method of reading and writing for the blind, which used a system of dots embossed on paper which could be read with the fingers. Braille, as the system is referred to today, opened the world of the printed word to the blind. Today many items such as books and magazines are available in Braille to the blind through the Library of Congress Braille program. Shortages, however, do exist although not as a result of technical barriers as in Gutenberg's time but rather economic and educational ones. Clearly, more of these items should and will be produced in the future as we the blind put increasing pressure on the government and other private producers to do so.

This, however, is not the greatest problem we face today in what has been called the information age. Most, if not all, of this information which arrives in the form of the printed word is totally useless to the blind. What kinds of information do I mean? Everyday information. The kind most people do not even think about because it is such a normal part of their lives. Items such as menus; class schedules; instructions for home appliances; insurance policies; and public information pamphlets produced by utility companies, tourist bureaus, and the like. I could go on and on. There are basically two reasons for this lack—economics and

technical ability. As in the pre-Gutenberg era, we have been able to produce Braille on presses. But these are large to operate. If it were not for the support of the federal government, the books and other items produced on these machines would be completely unaffordable to all but a very few blind persons. And as for the everyday materials I mentioned earlier, no attempt has been made by these large producers to provide them. The only way a blind person could get any other material in Braille was to have someone read it to him and for him to Braille it himself or to train sighted persons to read and write Braille and then have them transcribe such material by hand—a slow and tedious process.

With the advent of the microcomputer into Braille translation and production less than ten years ago, this situation began to change. In short, it was our moveable type. It is, in fact, no less important an innovation to the blind than Gutenberg's invention was to the sighted.

Four years ago we of the National Federation of the Blind of Utah, believing in the potential of the microcomputer in this work, set a goal to purchase and operate a computer system which would be used to provide quick access to high quality Braille transcription much as a typing service provides to the sighted. Today that dream becomes a reality. The equipment before you today represents some of the finest state-of-the-art computer equipment available for small scale Braille production.

The introduction of this new service, the first of its kind in the United States, represents the hard work and

generous support of many, including the blind and thousands of sighted Utahns who have contributed to our fund raising efforts through their purchase of tickets for our childrens' movies which have been enjoyed by families all over the state. I would like to take this opportunity to thank those people who have made this day possible.

And not only individuals but many corporations and foundations have given generous support to bring this project to fruition. I would like to express our very special thanks to the following businesses and philanthropic groups who have made substantial contributions: the George S. and Dolores Dore Eccles Foundation, the Marinor S. Eccles Foundation, the Herbert I. and Elsa B. Michael Foundation, the Salt Lake City Lions Club, Mountain Bell, the Ruth Eleanor Bamburger and John Ernest Bamburger Memorial Fund, the Mattie Wattis Harris Foundation, the Rosenblatt Memorial Foundation, and Utah Power and Light Company.

The National Federation of the Blind of Utah Braille Transcription Service will be operated in the beginning four hours per day from Monday through Friday. It will be located in our new state office in the Westgate Business Center. When we are fully operational, blind persons, teachers of the blind, and others requiring Braille will be able to bring their print material to us and have it produced in Braille more rapidly and economically than was previously possible. Since this has never been tried before, it will take us some time to determine what restrictions will be placed on the material we will produce. For example, what is the largest number of pages we will produce? What

is the lowest possible cost we can charge to help cover some of our costs and still make the service economical enough to make people want to use it. These and other similar questions will only be answered through experience. To begin with, therefore, we are not charging for the service. It is my hope that sufficient funds can be raised in the future to provide a permanent operating fund for this project which will allow us to continue this practice.

In closing, let me speak briefly of the future. Before us today is one computer and one Braille printer capable of producing a reasonably large quantity of transcribed information. And yet, it is only the beginning. Today not only

marks the achieving of a goal and the end of a lot of hard work, but it signifies a very important beginning. I hope some day to see ten or perhaps more computers and Braille printers twice as fast as this one all over the state producing thousands of pages of Braille per day to supply what will surely be the ever increasing demand for Braille materials. I pledge today that the National Federation of the Blind of Utah will continue our own fund raising efforts and also continue to seek even more support from the many outside sources available to make this dream come true; to bring the blind into full participation in this information age.

BOB STALEY DIES

by Kenneth Jernigan

On Tuesday, February 18, 1986, Bob Staley died. His wife Hazel was sitting by his side holding his hand. It was the end of a struggle for life which had lasted for almost ten years. Bob Staley's indomitable will is shown by the problems he faced and, for so long a time, resisted. In 1977 he had a massive heart attack. This was followed by repeated operations and added tragedies—a brain tumor, lung cancer, spinal cord complications, and more. But he did not give up—and Hazel never wavered. She stayed by his side.

In the Federation Hazel's strength and staying power are legendary. In the 1970's she served on the National Board of the Federation, and she has also been President of the North Carolina affiliate. Above all, Hazel Staley is known for her determination and integrity. She has both to an extremely high degree—and so did Bob. He was quiet and steadfast.

The passing of Bob Staley is a great loss to our movement. He was respected, and he was loved. All of us are better for his having been with us.

KANSAS CITY IN 1986 THE DYNAMICS OF THE NATIONAL CONVENTION

by Kenneth Jernigan

I joined the National Federation of the Blind in 1949, but I did not attend a national convention until 1952. The experience of that first national convention was so overwhelming and beyond anything I had expected that I still remember it today in every intimate detail. During the intervening years the Federation has grown larger, more complex, and (if possible) more dramatically exciting—and so has the convention. In 1952 in Nashville we had two or three hundred people. Last year in Louisville we registered more than 2,000.

The national convention is the supreme authority of the Federation. It is the legislature of the Federation. The Constitution says so—and anyone who cares to come and observe can see it in action and participate. As with any other large and active legislative body, the Federation must conduct its business through committees and various other smaller groups.

Since many of those reading this article may be planning to come to an NFB convention for the first time this year and since it might be helpful even to some of the veterans to review our committee system, I want to talk about the way it works. The national convention is the focal point of the year for the Federation. Important policy matters will ultimately come to the floor for discussion and debate, but preliminary

decisions are made in the same way they are in Congress—by conversations in the corridors and dining rooms and especially by committee action. In fact, there are divisions, groups, and committees.

Let us first deal with "groups." They are relatively informal and quickly described. They are usually preliminary to the establishment of a committee or a division. Any individual or group of individuals interested in a given topic may ask others who have a similar interest to meet with them for discussion and planning. If the call for such a meeting is announced over the microphone on the convention floor and if there are recurring meetings (sometimes from year to year), we have what is called a "group"—for example, those interested in ham radio, insurance as an occupation for the blind, etc. Decisions made by such a "group" are not official actions of the Federation and are not understood to be such. "Groups" provide a vehicle for exchange of ideas and consideration of the establishment of a more formal structure.

The Federation has thirteen divisions, the names of which are largely self-explanatory. Divisions have a formal structure. They draw up a written constitution and submit it to the national board for approval. They elect officers, usually for terms of one year. Divisions meet at the time of the na-

tional convention and conduct business throughout the year. Members of divisions are members of the Federation and are not required (although they are certainly encouraged) to join state affiliates in order to hold Federation membership. Meetings of divisions are open to all who care to attend. The divisions are:

- 1) National Association of Blind Educators: President, Fred Schroeder of New Mexico;
- 2) National Association of Blind Lawyers: President, Marc Maurer of Maryland;
- 3) National Association of Blind Secretaries and Transcribers: President, Carol Clark of Missouri;
- 4) National Association to Promote the Use of Braille: President, Betty Niceley of Kentucky;
- 5) National Federation of the Blind in Computer Science: President, Curtis Chong of Minnesota;
- 6) Diabetic Division of the National Federation of the Blind: President, Karen Mayry of South Dakota;
- 7) National Federation of the Blind Human Services Division: President, Betsy Zaborowski of Colorado;
- 8) Blind Merchants Division of the National Federation of the Blind: President, Larry Posont of Michigan;
- 9) National Federation of the Blind Parents of Blind Children Division: President, Barbara Cheadle of Maryland;
- 10) Public Employees Division of the National Federation of the Blind: President, John Halverson of Missouri;
- 11) Sheltered Shop Employees Division of the National Federation of the Blind: President, Roy Miller of Texas;
- 12) Student Division of the National Federation of the Blind: President, Jim Mitchell of North Carolina;
- 13) National Federation of the Blind Writers Division: President, Nancy Scott.

While divisions determine their own

membership and elect their own officers, committees do not. They are appointed by the President. The one exception to this rule is the Nominating Committee, which is appointed by the state affiliates at the roll call during the first general session of the convention. The chairman of the Nominating Committee is appointed by the President. The President may appoint such committees as he or she deems necessary, but there are currently a large number of standing committees which traditionally continue from year to year. These committees are not named in the Constitution, and their number may be increased or decreased as needed. Here is a list of the standing committees for 1986, along with a brief description of each:

- 1) Committee on Affiliate Action: Chairman, Homer Page of Colorado. This committee handles many of the details of making the convention run smoothly. Perhaps the best way to describe its work is to quote from a letter which I sent to the member of the committee in 1983: "It is the task of this committee to circulate throughout the membership during the national convention and do the following things: find problems and solve them before they become problems; see that problems which need to be brought to my attention are brought to my attention. See that problems which should not be brought to my attention are solved before they come to my attention; synthesize and give to me information which I need to have; refrain from giving me information which I should not have; find new people at the convention and make them feel part of the movement; and see that the convention in general runs smoothly and without unhappiness or problems or snags."

2) Committee on Associates: Chairman, Allen Sanderson of Alaska. It is the function of this committee to coordinate and guide our effort to recruit Associates. All Associates are members-at-large of the Federation. The Constitutional amendments passed at the national convention in 1978 give members-at-large all rights and privileges in the national organization possessed by other members. This committee is of key importance in the growth and development of our organization.

3) Committee on the Deaf-Blind: Chairman, Boyd Wolfe of Arizona. The purpose of this committee is to deal with problems concerning the deaf-blind. This means such things as how to make their participation in the movement more meaningful; how to help improve their general situation in society; finding new and innovative technological advances to help improve communication, etc.

4) Committee on Deferred Giving: Chairman, Charles Brown of Virginia. If the effort to fund our movement is to be successful, we must find new methods and innovative techniques of financing. The establishment of this committee is meant to help accomplish this objective. More and more organizations are successfully emphasizing deferred giving. We must do the same.

5) Committee on Library Services: Chairman, Sharon Gold of California. The purpose of this committee is to present the view of the organized blind to the National Library Service for the Blind and Physically Handicapped of the Library of Congress and to regional libraries and other governmental agencies. The committee also attempts to focus the attitudes and opinions of blind readers throughout the country and

to arrive at meaningful policies. After all, we as blind people should have a say (a constructive say) in our own destiny. Among other things, this means taking a hand in the library services we receive.

6) Committee on Parental Concerns: Chairman, Mary Wurtzel of Michigan. In general this committee concerns itself with the problems of blind parents. As I have already mentioned, we have a division for parents of blind children, but its focus is somewhat different from that of the committee. Of course, some parents of blind children are blind, and some blind parents (in fact, many) have sighted children. Therefore, many people attend meetings of both the committee and the division.

7) Committee on Proclamations: Chairman, Gary Mackenstadt of Washington. In recent years a great many mayors and governors have proclaimed National Federation of the Blind Month, National Federation of the Blind Week, or National Federation of the Blind Day in states and localities. Some of these proclamations have been extremely helpful and well written. Others have left something to be desired. The purpose of this committee is to focus and coordinate the issuing of proclamations by public officials concerning blindness and our movement.

8) Committee on Standards and Accreditation: Chairman, Diane McGeorge of Colorado. The purpose of this committee is to coordinate and direct our activities concerning the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC) and to promote acceptable standards for and quality services by agencies working with the blind. The committee plans and

directs our annual interaction with NAC.

9) Committee on the Senior Blind: Chairman, Bean Hudson of Arkansas. The purpose of this committee is to focus attention on activities and problems of older blind persons. The committee is meant to give emphasis to our interest in matters concerning the senior blind.

10) Correspondence Committee: Chairman, Fred Schroeder of New Mexico. The purpose of this committee is to consider questions dealing with the Braille Monitor, state newsletters, and the total range of communications and information throughout our movement.

11) Cultural Exchange and International Program Committee: Chairman, Joyce Scanlan of Minnesota. The purpose of this committee is to handle matters relating to our international effort.

12) Distribution of Publications Committee: Chairman, Ronald Byrd of Texas. The purpose of this committee is to oversee the distribution of NFB publications—seeing to it that they are abroad in the land. These publications are of the kind which schools, libraries, governmental agencies, etc. should be interested in purchasing.

13) Dog Guide Committee: Chairman, Robert Eschbach of Ohio. The purpose of this committee is to deal with matters affecting those who use dog guides—matters involving the national convention, legislation, discrimination, public information, and any other items of importance to dog guide users. This committee takes the lead in helping formulate NFB policy concerning all matters dealing with dog guides and their use.

14) Hike-A-Thon/Bike-A-Thon Committee: Chairman, Patricia Maurer of Maryland. It is the duty of this committee to

develop hike-a-thons and/or bike-a-thons in as many states as possible. This can be one of our most effective ways of raising funds and can also be an excellent vehicle for public education about blindness and our philosophy.

15) Jacobus tenBroek Award Committee: Chairman, James Omvig of Alaska. The Jacobus tenBroek Award was established to be given from time to time to people in the movement who have made outstanding contributions to our cause. Therefore, the purpose of this committee is to select a person from within our movement who most deserves our recognition and commendation.

16) Jacobus tenBroek Memorial Fund Committee: Chairman, Ramona Walhof of Idaho. The purpose of this committee is to deal with matters concerning the Jacobus tenBroek Memorial Fund. How can we find ways of bringing more money into the Fund? How can we increase the feeling of involvement on the part of the rank and file blind people in the nation? For the most part, this committee's activities reach their peak during the time of the annual convention. In the past such activities have included an Elegant Elephant sale, a roll call of states for collection of pledges and donations to the Fund, a personal collection from members, and such other things as will increase the awareness of the Fund and the part it plays in the lives of the blind.

17) Membership Committee: Chairman, Jackie Billey of Connecticut. The purpose of this committee is to spearhead the Federation's effort to bring new members into the movement and to strengthen the commitment of those who are already members.

18) Music Committee: Chairman, Mary

Brunoli of Connecticut. At the 1986 convention this committee will probably be the nucleus for the formation of a division. Its purpose is to assist blind persons who want to go into music as a profession. It also provides a setting for blind persons who are interested in music for culture and/or recreation to get together at national conventions.

19) Newel Perry Award Committee: Chairman, Donald Capps of South Carolina. The Newel Perry Award was established to be given from time to time to people outside of our movement who have made outstanding contributions to the cause. Accordingly, the purpose of this committee is to select a person from outside of our movement who seems to deserve our recognition for his or her contributions to the advancement of the blind.

20) PAC Plan Committee: Chairman, Allen Harris of Michigan. Many years ago one of our members came up with the idea of what we first called the Bank Draft Pledge System to help finance the Federation. This developed into the Pre-Authorized Check (PAC) Plan. This has come to be an evermore important part of our financing of the movement. The duties of this committee include getting more of our members to sign up, publicizing the Plan, and informing people of its advantages and how to become members.

21) Public Relations Committee: Chairman, Barbara Pierce of Ohio. The purpose of this committee is to spread the word about our movement to the public at large throughout the land. How can we get our radio and television spots most widely used, and how can we keep them on the air week after week? How can we

promote more favorable newspaper and magazine publicity? Should we try to make additional Federation movies? Should we try to make different kinds of radio or television spots? Are there additional brochures or pamphlets which we should be publishing? Underlying all of these questions, of course, is the need to change public attitudes about the blind and to let people know what the National Federation of the Blind is and how it differs from the agencies.

22) Committee for the Evaluation of Technology: Chairman, Jim Willows of California. The purpose of this committee is to become aware of and evaluate research and technology in the field of work with the blind. This means new aids and devices for the blind, as well as other types of research which continue to proliferate in the field.

23) Committee on Research and Development: Chairman, Tim Cranmer of Kentucky. This is a companion committee to the Committee for the Evaluation of Technology, with the responsibilities of research and development. The purpose of this committee is to examine emerging technologies anywhere in society to determine their applications to the unique requirements of blind people. The committee selects projects worthy of development and recommends strategies and design concepts to achieve the goals of the projects.

24) Resolutions Committee: Chairman, Rami Rabby of New York. This is one of the most important committees of the Federation. It considers and proposes the resolutions which set the policy of our organization.

25) Scholarship Committee: Chairman, Peggy Pinder of Iowa. This committee supervises the Federation's scholarship

program. At the 1986 national convention we will award twenty-four scholarships, aggregating almost \$100,000. The largest of these scholarships will be \$10,000 in cash plus expenses to attend the national convention. The committee takes applications and meets prior to the convention to select winners.

26) White Cane Committee: Chairman, Norman Gardner of Idaho. Probably the first organized effort our movement made to fund itself was National White Cane Week. In recent years Congress (largely through our efforts) has set aside October 15 as National White Cane Day. In some of our state and local affiliates we have tied in various fund raising projects with White Cane Day or with White Cane Week (May 15-22). State and local affiliates customarily divide proceeds with the National Office of the

Federation, but this is left entirely to the discretion of the affiliate. Some affiliates simply make annual contributions in the name of "White Cane." In general this committee concerns itself with developing ideas for state and local fund raising and public education projects.

Through its divisions, committees, and groups the Federation brings to the floor of the convention each year an extremely diversified and relevant assortment of issues affecting the blind. The resulting policies and activities are causing a whole new way of thought concerning blindness and the blind. Kansas City during the first week of July is where the decisions will be made and the actions taken. Those who come will participate in history in the making. Don't miss it.

RECIPES

by Catherine Harris

(Note: Mrs. Harris is a Federationist who lives in Baltimore and who does a great deal of volunteer work at the National Center for the Blind. She is a woman of many talents, not the least of which is her excellent cooking.)

MEAT BALL OVEN STEW

Temperature: 350 degrees

Time: 1 hour

Yield: 4 servings

1/2 lb. hamburger meat
 1 tbsp. chopped onion
 1 tbsp. chopped green pepper
 3 tbsps. cornmeal
 1/2 tsp. salt
 3/4 tsp. dry mustard
 1/2 tsp. chili powder
 1/4 cup milk
 1 egg, slightly beaten
 3 tbsps. flour
 1 tbsp. fat
 1 cup tomato juice
 2 medium potatoes, quartered
 3 medium carrots, sliced
 4 small onions, sliced
 1/2 tsp. salt

Combine in large mixing bowl the meat, onion, green pepper, cornmeal, salt, dry mustard, chili powder, milk, and egg. Mix thoroughly with the hands and shape into 8 balls. Roll in the 3 tbsps. flour and brown in the 1 tbsp. fat. Allow 10 minutes for browning on low heat, turning balls by rolling with spoon after first 5 minutes. Place balls in a 2-quart casserole. Add flour left over from rolling balls to the fat remaining in the skillet. Stir together and add the tomato juice. Bring to boiling point and cook for 5 minutes over medium heat. Pour over the meat balls. Add vegetables in layers over the balls and sprinkle with salt. Cover and bake.

APPLESAUCE CANDY

Temperature: medium heat
 Time: 3 minutes
 Yield: 20 to 25 squares

3/4 cup sugar
 1 cup thick applesauce
 1 pkg. strawberry or lime flavored gelatin, such as Jell-O
 2/3 cup chopped nuts
 1/2 cup sugar for rolling

Grease a 9-inch square pan. Combine sugar and applesauce in a sauce pan. Bring to boiling point and boil 3 minutes, stirring constantly. Add gelatin and stir until thoroughly dissolved, about 3 minutes. Remove from heat and add nuts. Mix well. Pour into pan. Chill until firm. Cut into squares. Roll in granulated sugar and leave on an uncovered tray at room temperature for 6 to 8 hours until dry. Roll again in sugar. Pack between layers of waxed paper in a covered container.

CRISPY DELIGHTS

Temperature: low heat
 Time: 2 minutes
 Yield: 12 balls

1 cup dates, finely chopped
 1/2 cup sugar
 1 egg, well beaten
 2 cups rice cereal (Rice Krispies)
 1/2 cup chopped nuts
 1/8 tsp. salt
 1/2 tsp. vanilla
 1 cup shredded coconut

Combine dates, sugar, and egg in sauce pan. Place over low heat and bring to boiling point, stirring constantly.

Boil for 2 minutes, and remove from heat. Cool slightly. Add cereal, nuts, salt, and vanilla. Mix thoroughly with hands. Shape into small balls and roll

in coconut. Place on waxed paper and let stand until cool and firm.

MONITOR MINIATURES * * * * *

**Career Fair:

The state of Washington, Department of Social and Health Services, issued a release concerning Job Opportunities for the Blind and a career fair. The release reported in part as follows:

In celebration of its 100th anniversary, the Washington State School for the Blind presented the Second Bi-Annual Career Fair for the Visually Impaired. This two-day event in conjunction with Job Opportunities for the Blind, was held March 21-22, 1986, at the Washington State School for the Blind campus in Vancouver, Washington. Featured keynote speaker was former student Michael Mandel, who is a successful composer, arranger, and professional musician living in New York City. Mr. Mandel composes music for portions of NBC's "Another World." Twenty-five additionally successfully employed former students of WSSB were also on hand to discuss their careers with visually impaired junior high and senior high school students from Washington, Oregon, and British Columbia. The careers represented were: computer systems programmer, social worker, mechanic, teacher, medical transcriber, businessman and entrepreneur, electrical engineer, attorney, teacher aide, piano technician,

machine shop worker, beautician, physical therapist, editor, airport pager, public relations worker, masseuse, tax service representative, darkroom technician, drug and alcohol counselor, waitress, radio station owner, announcer, and engineer. On Saturday Job Opportunities for the Blind seminar presented a panel of employed visually impaired adults who discussed their successful job techniques.

**Alumni:

We have been asked to carry the following announcement:

The Illinois School for the Visually Impaired in Jacksonville, Illinois, is holding its biannual reunion/meeting from May 29 through June 1, 1986. All graduates and past students are invited and encouraged to attend. For further information contact: Le Anne Mayne, 312-764-1767; or Carmen (Sepeda) Dennis, 4701 North Springfield, Chicago, Illinois 60625, 312-583-9144.

**Kimbrough Moves:

In a recent news release Associated Services for the Blind of Philadelphia announced that B.T. Kimbrough joined their staff December 1, 1985, as Director of Services. They state that, "In addition to directing the establishment of several new programs, he is respon-

sible for supervising the activities of ASB's radio reading, recording, rehabilitation, and social services." As Federationists know, Kimbrough has for many years been, in one way or another, associated with Dialogue Magazine—shaping its editorial views, writing articles, and providing other assistance. More recently he was associated with Trifor-mation Braille Services.

****Radio Reading:**

In late fall of 1985 Alaska had another first. The Alaska Information Radio Reading and Education Services was established. This radio reading service is operated by the National Federation of the Blind of Alaska and is another evidence of the dynamic programs which are being built in the state.

****To Open The Door:**

As Federationists know, Gertrude Van Tassel Ward is a woman of firm convictions. She says what she thinks, and she usually thinks clearly. Here are her comments about the airline controversy:

"When I read that the emergency exit door on a plane must be unfastened and thrown out of the way, I was surprised and a bit shocked. You realize that only with a demonstration and practice would anybody be able efficiently to open doors like that in an emergency. No wonder the airline personnel are worried about it. They can worry a damned lot more and insist on a safer designed door. Yes, the blind would be in danger, but so would the sighted, who would be in the same boat and just as unable to open the door fast enough. Next I suppose they will tell us that everyone should carry a personal fire

extinguisher aboard: 'just for your own safety!'"

****Equality:**

The National Federation of the Blind says that it seeks security, equality, and opportunity for the blind. Commenting on equality, Jamal Mazrui says:

"'Equality' means social equality. It means being accepted as equals by the sighted—neither pitied as victims nor applauded as heroes simply because we are living with blindness. It means being regarded as normal people, having as just one of many characteristics the fact that we cannot see."

****Elected:**

Shelly Bruns writes:

The NFB chapter of Lincoln, Nebraska, would like to announce its new Board Members just elected January 18. President, Michael Floyd; First Vice President, Gary Doty; Second Vice President, Brad Loos; Secretary, Shelly Bruns; Treasurer, Aloma Bouma; and Board positions to be held by Barbara Walker and Cheryl Slobaszewski.

****Museum Contemplated:**

Diane McGeorge submits the following:

A new project is now in progress, which is being handled by the NFB of Colorado. It grew out of a conversation between Ray McGeorge and President Jernigan last November at the National Board Meeting. While we were talking about the teaching of math to blind students, it became apparent that many at the meeting had no idea what a Taylor slate was or how it had been used. Then followed a discussion of other lost forms of teaching the blind such as Moon Type, New York Point, and the like. Ray

decided we needed to establish some type of museum which would contain samples of reading and writing materials, as well as other bygone tools and outdated technology. It will take time, and your help will be needed. For example, are there any Federationists who might still have an old Taylor slate, a cube slate, or how about one of the old Lavender Brailers once used and no longer in circulation? When Ray first started thinking about it, his initial reaction was somber. After all, he learned math on the Taylor slate, and Fred Schroeder had never seen one. But if you stop to think, the original talking calculator produced by Sharp is a fine example of a teaching tool no longer available for use. How many of you have ever seen one? So search your basements and attics, and help us build a worthwhile museum. Maybe it can earn a place of distinction at the National Center for the Blind in Baltimore. Send items to: Ray McGeorge, National Federation of the Blind of Colorado, 2232 South Broadway, Denver, Colorado 80210.

****Country Cassettes:**

We have been asked to carry the following announcement:

"A country music cassette tape is available. Introducing Ray Stoer. This tape features thirteen country songs. The price is \$8.50, prepaid orders only. Make checks payable to: Raymond Rokita, 308 VanBuren, #192-E, Jackson, Michigan 49201."

****Braille Book Project:**

Diane McGeorge writes:

"Many Federationists know about the project operated by the NFB of Colorado in conjunction with the Telephone Pio-

neers and Federationists from across the country in which discarded Braille and large print textbooks are collected and then repackaged for mailing to libraries and schools throughout the world. While talking recently with Lou Parker, the chairman of the Telephone Pioneers committee which handles the bulk of the mailing of the materials, it was brought to my attention that we could use donations of styluses and slates if people have extra ones they do not need or perhaps no longer use. We have received a number of requests for those, as well as old reel to reel tape players. The tape players should be sent in good condition if possible, since we have no way to repair them. And while you are gathering up those types of things, if you have Braille editions of the Monitor, please do send those. We want to spread our philosophy throughout the world, and how better to do it than to mail the Monitor to schools and libraries? Please send your materials to NFB of Denver Braille Book Project, 2232 South Broadway, Denver, Colorado 80210.

****Dies:**

We have received the following letter in the National Office from Michael and Gloria Taylor of Utah:

Dear Federation Friends:

We are writing this note to inform by way of Braille Monitor that our daughter Aleesha Taylor, born on July 24, 1985, returned to live with her Heavenly Father on February 6, 1986, due to complications resulting from a liver disease. During her 6-1/2 months on earth she brought much happiness to all who knew her. Parents are Michael and Gloria Taylor from Salt Lake City, Utah.

We'll see you all in Kansas City for the 1986 convention.

The Taylors

**Braille Business Cards:

Marilyn Baldwin, Secretary of the Central Florida Chapter, sends us the following item:

King Travel Services, located in Orlando, Florida, is looking for an individual or business that would be able to produce Braille business cards. Interested parties please contact Leni King, President, King Travel Services, 4126 John Young Parkway, Orlando, Florida 32804; 305-297-1125.

**Posters:

Insight is the newsletter of the National Federation of the Blind of South Dakota. The following item appears in the January, 1986, edition:

White Cane Day was celebrated in a new way by the Black Hills Chapter of Rapid City, South Dakota. They sponsored a White Cane day poster contest in the Rapid City elementary schools. Over 200 students participated. Cash prizes were offered for first-place winners. Second and third place winners received a McDonald's coupon book for free ice cream plus a certificate of participation for entering the contest. In fact,

all students received certificates of participation. Information was provided to the teachers regarding the contest plus data obtained from Questions Kids Ask About Blindness. The contest was a great success. Parents and students were presented the ribbons, cash, and coupon books, plus information about the NFB of South Dakota, at an awards ceremony held in the Rapid City Library. Following the awards posters were on display in the Rapid City Library children's section, and in store windows around Rapid City.

**Merge:

Betty Kendall writes:

"On August 16, 1985, Omega Federation and Mutual Federation of the Blind, the two Cleveland Chapters of the NFB, had their first meeting as the NFB of Cleveland. The officers elected at that time are as follows: Charles Davis, President; Annette Anderson, Vice President; Betty Kendall, Recording Secretary; Dock King, Corresponding Secretary; Edna Hood, Treasurer; Board Members Margaret Knall, Vivien Simpkins, John Black, and Knovilla Dews. The officers were installed by our state president, Barbara Pierce. At the state convention in Springfield, Ohio, in October, 1985, we received our charter for the NFB of Cleveland."

THE BRAILLE MONITOR

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